

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No(s). 90/2023

ABCI INFRASTRUCTURES PVT. LTD.

Appellant(s)

VERSUS

MEMBER SECRETARY, CENTRAL POLLUTION
CONTROL BOARD & ORS.

Respondent(s)

WITH

C.A. No. 1279/2023

O R D E R

Civil Appeal No(s). 90/2023

1. When the appeal is taken up for consideration, the learned senior counsel for the appellant would submit that the amount, as quantified under the Workmen's Compensation Act, 1923 i.e Rs.2,63,35,425/-, has already been paid and therefore, nothing further survives in the instant appeal to be considered by this Court.

2. Accordingly, recording the said submission made by the learned senior counsel for the appellant and nothing further survives, the appeal is disposed of along with the pending application(s), if any.

Civil Appeal No. 1279/2023

1. Heard the learned senior counsel for the appellant(s) as also the learned counsel for the respondents and perused the appeal papers.

2. At the outset, we note that, this Court, while directing notice to the respondents on 13.03.2023, had indicated that the appellant shall deposit a sum of Rs. 01 crore with the concerned authorities within a period of six weeks from that date. It is submitted that the said amount has been deposited.

3. In that light, having perused the impugned order herein, we are of the opinion that the nature of the consideration as made therein, would not be justified since it ought to have been project specific. Hence, in our opinion if a further sum of Rs. 01 crore is deposited and the same is disbursed to the concerned persons, the same would satisfy the requirements.

4. In that view, we direct that the appellant herein, shall deposit a sum of Rs.01 crore with the Chief Secretary/Competent Authority within a period of 10 days from this day. The same would remain limited to the consideration relating to the revenue generated from the projects in question.

5. Hence, the impugned order is set aside and the appeal is accordingly disposed of along with the pending application(s), if any

.....J.
(A.S. BOPANNA)

.....J.
(M.M. SUNDRESH)

New Delhi
21st July, 2023

ITEM NO.54

COURT NO.7

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 90/2023

ABCI INFRASTRUCTURES PVT. LTD.

Appellant(s)

VERSUS

MEMBER SECRETARY, CENTRAL POLLUTION
CONTROL BOARD & ORS.

Respondent(s)

(IA No.3199/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.3202/2023-STAY APPLICATION and IA No.3195/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH
C.A. No. 1279/2023 (XVII)

(IA No.37982/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.37983/2023-STAY APPLICATION and IA No.37981/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 21-07-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Gaurav Khanna, AOR
Ms. Natasha Sahrawat, Adv.
Ms. Deepali Bhanot, Adv.
Mr. Rudraksh Pandey, Adv.

For Respondent(s) Mr. Avneesh Arputham, AOR
Mr. Ankit Sharma, Adv.

Mr. Siddhesh Kotwal, Adv.
Ms. Ana Upadhyay, Adv.
Ms. Manya Hasija, Adv.
Mr. Nihar Dharmadhikari, Adv.
Mr. Md Sontu Mia, Adv.
Mr. Nirnimesh Dube, AOR

UPON hearing the counsel the Court made the following
O R D E R

Civil Appeal No(s). 90/2023

The appeal is disposed of along with the pending application(s), if any in terms of the signed order.

C.A. No. 1279/2023

The impugned order is set aside and the appeal is disposed of along with the pending application(s), if any, in terms of the signed order.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)
ASSISTANT REGISTRAR

(signed order is placed on the file)