

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal Nos 4455-4456 of 2015

The Chairman, Jawaharlal Nehru Port Trust

Appellant

Versus

Ramdas Janardan Koli and Others

Respondents

ORDER

- 1 IA No 43329 of 2022 has been instituted on behalf of the Jawaharlal Nehru Port Trust¹.
- 2 The National Green Tribunal² by its order dated 27 February 2015 disposed of OA No 19 of 2013 in terms of the following directions:

“(i) The Applicants do recover Rs.95,19,20,000/- (Rs. Ninty Five Crores Nineteen Lakhs Twenty Thousand only), which be distributed equally to 1630 (one thousand six hundred thirty) affected and identified fishermen's families as per the Collector's Report, named therein, to the extent of Rs.5,84,000/- (Rs.Five Lakhs Eighty Four Thousand) per family within three (3) months by the Respondent Nos.7, 8

1 “JNPT”
2 “NGT”

and 9 (i.e. CIDCO, JNPT and ONGC) respectively, as per their shares mentioned above.

- (ii) In case, such amount is not paid within above period, then it will carry interest@ 12% p.a. till it is realized by the concerned fishermen's families.
- (iii) The Respondent Nos.7, 8 and 9, shall pay Rs.50 Lakhs (Rs. Fifty lakhs) and restoration cost for environmental damage, as per above share which work, the Collector, Raigad, shall carry out under his supervision within eight (8) months hereafter for activities of mangrove plantation, ensuring free passage of tidal currents etc. in consultation of MCZMA.
- (iv) The Respondent Nos.7, 8 and 9, shall pay costs of Rs.5 Lakhs (Rs. Five lakhs) as litigation costs to the Applicants and bear their own costs.
- (v) The Respondent Nos.7, 8 and 9, shall deposit the amount shown in above para (i) and (iii) in the office of Collector, Raigad within stipulated period, otherwise the Collector shall realize the said amount, as if it is Land Revenue dues from them. A compliance Report in this behalf be submitted by the Collector, within four (4) months to this Tribunal."

- 3 In the concluding sentence of paragraph 76, the NGT directed that each family would be entitled to recover the compensation stipulated in the ratio of 10:70:20 from CIDCO, JNPT and ONGC respectively.
- 4 Since the interlocutory application has been instituted only by JNPT, the observations in this order are confined only to that application.
- 5 On 22 May 2015, this Court while issuing notice in Civil Appeal Nos 4455-4456 of 2015 instituted by JNPT, directed it to deposit an amount of Rs 66.63

crores "as ordered by the NGT" within a period of two months. The amount has since been deposited and has been invested by the Registry of this Court.

- 6 JNPT while seeking the withdrawal of the civil appeals seeks a direction that the amount of Rs 66.63 crores together with the accrued interest be disbursed to the Commissioner of Fisheries for the allocation of compensation to 1630 families in terms of the orders of the NGT dated 27 February 2015 and 21 April 2015 (the subsequent order being in review).
- 7 In order to facilitate the proper identification of the families concerned, and the disbursement of compensation to the extent of the share of JNPT, it would be appropriate that the Collector, Raigad carries out the said exercise. The Collector, Raigad shall keep the Commissioner of Fisheries duly apprised of the steps which are taken on a quarterly basis.
- 8 We accordingly pass the following order:
 - (i) In terms of the request made before this Court by JNPT, these appeals are dismissed as withdrawn;
 - (ii) The amount which has been deposited in the Registry of this Court by JNPT pursuant to the order dated 22 May 2015 together with the interest accrued thereon shall be remitted by a demand draft drawn in favour of the Collector, Raigad. The demand draft shall be handed over

to the Standing Counsel for the State of Maharashtra, who in turn, shall remit it to the Collector, Raigad through the appropriate channel;

- (iii) The Collector, Raigad shall take steps to disburse the amount to the extent of the share of JNPT in terms of the orders of the NGT. The Collector shall ensure the proper identification of the families to whom compensation has to be disbursed in terms of the orders of the NGT;
- (iv) The Collector, Raigad shall ensure that the Commissioner of Fisheries is duly apprised of the steps taken for the disbursal of compensation on a quarterly basis; and
- (v) The claimants entitled to the disbursal of compensation are granted liberty to approach the Collector, Raigad indicating the amount of the claim and providing necessary proof for verification of identity within eight weeks. Thereafter, it would be open to the Collector to extend the period of eight weeks, should the facts and circumstances of the case so require for disbursal of the compensation to those who are entitled.

- 9 The Interlocutory Application for withdrawal of the civil appeals stand disposed of.

10 Pending applications, if any, stand disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Pamidighantam Sri Narasimha]

New Delhi;
December 14, 2022
CKB

ITEM NO.41

COURT NO.1

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.4117/2015

THE GENERAL MANAGER, OIL AND NATURAL GAS
CORPORATION LIMITED

Appellant(s)

VERSUS

RAMDAS JANARDAN KOLI & ORS.

Respondent(s)

(With IA No.6/2015 - EXEMPTION FROM FILING O.T., IA No.3/2015 -
PERMISSION TO FILE ANNEXURES, IA No.4/2015 - STAY APPLICATION and
IA No.2/2015 - STAY APPLICATION)

WITH C.A. No.4343/2015 (XVII)

(With IA No.27468/2018 - EARLY HEARING APPLICATION and IA No.2/2015
- PERMISSION TO FILE ANNEXURES)

C.A. Nos.4455-4456/2015 (XVII)

(With IA No.43329/2022 - APPROPRIATE ORDERS/DIRECTIONS)

C.A. No.5330/2015 (XVII)

(With IA No.2/2015 - PERMISSION TO FILE ANNEXURES and IA No.3/2015
- STAY APPLICATION)

C.A. No.4896/2015 (XVII)

(With IA No.2/2015 - PERMISSION TO FILE LENGTHY LIST OF DATES and
IA No. 1/2015 - STAY APPLICATION)

Date : 14-12-2022 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Appellant(s)

Mr. Tushar Mehta, SG
Mr. Ajit Bhasme, Sr. Adv.
Mr. Sanjay Kumar Visen, AOR
Mr. Mukesh Kumar Pandey, Adv.
Ms. Himani Bhatnagar, Adv.
Ms. Saumya Singh, Adv.
Mr. Sandeep Joshi, Adv.
Mr. Prakash Kumar, Adv.
Mr. Aman, Adv.

Mr. Kush Chaturvedi, AOR
Ms. Priyashree Sharma PH, Adv.
Mr. Syed Faraz Alam, Adv.
Mr. Atharva Gaur, Adv.

Ms. Srishti Agnihotri, AOR

Mr. K.R. Sasiprabhu, AOR

Ms. Jaikriti S. Jadeja, AOR
Mr. Amaan Shreyas, Adv.

For Respondent(s)

Mr. Tushar Mehta, SG
Mr. K.R. Sasiprabhu, AOR
Mr. Vishnu Sharma A.S., Adv.
Mr. Prakhar Agarwal, Adv.

Ms. Anitha Shenoy, Sr. Adv.
Ms. Srishti Agnihotri, AOR
Ms. Meenaz Kakalia, Adv.
Ms. Sanjana Grace Thomas, Adv.
Ms. Ayushma Awasthi, Adv.
Ms. Namrata Sarah Caleb, Adv.
Ms. Mantika Vohra, Adv.

Mr. Kush Chaturvedi, AOR

Mr. Satya Mitra, AOR

Mr. Binay Kumar Das, AOR

Mr. Tushar Mehta, SG
Ms. Aishwarya Bhati, ASG
Ms. Ruchi Kohli, Adv.
Ms. Swarupama Chaturvedi, Adv.
Mr. Madhav Singhal, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Nishant Ramakantrao Katneshwarkar, AOR

Mr. Sachin Patil, AOR

Ms. Mayuri Raghuvanshi, AOR

Mr. Pankaj Kumar Mishra, AOR

Mr. Sanjay Kumar Visen, AOR

Ms. Jaikriti S. Jadeja, AOR

Mr. Sunil Kumar Jain, AOR

Mr. A.K. Shahi, Adv.

Ms. Rashika Swarup, Adv.

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

Civil Appeal Nos 4455-4456 of 2015

- 1 The appeals are dismissed as withdrawn in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

Civil Appeal No 4117/2015, Civil Appeal No 4343/2015, Civil Appeal No 5330/2015 and Civil Appeal No 4896/2015

- 1 The Registry shall list the civil appeals in due course.

(CHETAN KUMAR)

A.R. -cum-P.S.

(Signed order is placed on the file)

(SAROJ KUMARI GAUR)

Assistant Registrar