

ITEM NO.6

COURT NO.9

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 6360/2022

ANKUR SHARMA

Appellant(s)

VERSUS

THE STATE OF WEST BENGAL & ORS.

Respondent(s)

IA No. 125058/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES, IA No. 117889/2022 - STAY APPLICATION)

Date : 16-09-2022 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Appellant(s) Ms. Anitha Shenoy, Sr. Adv.
Mr. Ayush Anand, Adv.
Ms. Aarti Krupa Kumar, Adv.
Ms. Ayushma Awasthi, Adv.
Ms. Namrata Caleb, Adv.
Mr. Gopal Jha, AOR

For Respondent(s)

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

One of the contentions advanced by learned counsel for the appellant is that the total constructed buildup area is 49,990 square meters but to overcome the requirement of environment clearance (EC) the project proponent has split it into three phases and the first phase was reduced by few meters below the bench mark of 20,000 square meters (19,206.25 square meters) just to evade the impediment of the EC and which has been noticed by the Tribunal in the impugned order but overlooked for the reason that the first phase being below 20,000 square meters, environment clearance is not required. This according to the appellant is overreaching the

statutory provisions, which every incumbent is under obligation to follow.

Issue notice, returnable on 30.09.2022.

Dasti, in addition, is permitted.

(MONIKA DEY)
COURT MASTER (NSH)

(ASHWANI THAKUR)
ASTT. REGISTRAR-cum-PS