

ITEM NO.39

COURT NO.3

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. 4046/2023

M/S NEW INDIA MINERALS BRAHMPURI COLONY

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No.116466/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.116465/2023-EX-PARTE STAY and IA No.116467/2023-EXEMPTION FROM FILING O.T.)

Date : 05-07-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Appellant(s)

Mr. Ranjit Kumar, Sr. Adv.
Mr. Utkarsh Sharma, AOR
Mr. Sharad Chauhan, Adv.
Mr. Yagyawalkya Singh, Adv.
Mr. Hem Joshi, Adv.
Mr. Akhilesh Paul, Adv.

For Respondent(s)

Ms. Mayuri Raghuvanshi, AOR
Mr. Vyom Raghuvanshi, Adv.
Mr. Rajiv Singh, Adv.
Ms. Akanksha Rathore, Adv.
Mr. Akshay Pradhan, Adv.

Mr. Manish Tiwari , AOR
Mr. Abhishek Kumar Chaubey, Adv.
Mr. R.K. Tanwar, Adv.

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

Issue notice, and tag with Civil Appeal no. 4005/2023 titled
"Chander Shekhar Chaurasia vs. Union of India & Ors."

Notice will be served by all modes, including dasti.

Till the next date of hearing, there will be a stay of the

operation of the impugned judgment, insofar as directions contained in sub-paragraphs (ii), (iii), (iv) and (vi) of paragraph 262 of the impugned judgment are concerned qua the appellant. There will also be a stay on the direction to deposit the penalty amount in terms of paragraph 262(i) of the impugned judgment, subject to the appellant depositing an amount of Rs.1.50 crores before the Uttar Pradesh Pollution Control Board. The deposit would be converted into an interest bearing Fixed Deposit Receipt (FDR) for a period of one year on auto-renewal clause. The deposit would abide by further orders of this Court.

Insofar as the direction for revisit approvals vide paragraph 262(v) of the impugned judgment is concerned, there would be a stay thereof. However, the authorities will ensure compliance of the conditions and file a status report in this Court before the next date of hearing, stating whether compliances are being made.

Re-list on 21.08.2023.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR