

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3122 of 2020

VINDHYACHAL SUPER THERMAL POWER STATION ... APPELLANT(S)

VS.

ANJANI JAISWAL & ORS. ... RESPONDENT(S)

AND

CIVIL APPEAL NO. 2286-2287 of 2021

O R D E R

1. Mr. Tushar Mehta, learned Solicitor General has submitted that CA No. 3122 of 2020 and 2286-2287 of 2021 pertain to the issue of utilization and disposal of fly ash by thermal power plants and that similar matters have been disposed of by this Court vide judgment dated 10.05.2022.

2. In view of the submission made by the Solicitor General, we take note of the Notification dated 31.12.2021 and the order of this Court in M/s Aravali Power Co Pvt Ltd vs. Vedprakash and Another dated 10.05.2022, 2022 INSC 547, disposing of the proceedings as under:

"13 In view of the above discussions, and having regard to the notification dated 31 December 2021, the impugned orders of

the National Green Tribunal shall stand set aside.

14 The appeals shall stand disposed in terms of the above directions.

15 We clarify that this judgment shall not be construed as a decision on merits upholding the validity of the notification dated 31 December 2021. Any party aggrieved by the terms of the notification would be at liberty to pursue the remedies which are available in law before the appropriate forum."

3. In view of the notification and following the order passed by this Court, we dispose of these two appeals on similar terms.

4. Accordingly, appeals are disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ARAVIND KUMAR]

NEW DELHI;
FEBRUARY 19, 2024.

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). 4251-4252/2019

NORTHERN COALFIELDS LTD

Appellant(s)

VERSUS

ASHWANI KUMAR DUBEY & ORS.

Respondent(s)

IA No. 169299/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 167874/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 41777/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

C.A. No. 5324-5325/2019 (XVII)
(FOR CLARIFICATION/DIRECTION ON IA 79727/2019
FOR CLARIFICATION/DIRECTION ON IA 170529/2019
IA No. 79727/2019 - CLARIFICATION/DIRECTION
IA No. 170529/2019 - CLARIFICATION/DIRECTION)

C.A. No. 9035/2019 (XVII)
(FOR EX-PARTE STAY ON IA 180163/2019
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
180164/2019
FOR EXEMPTION FROM FILING O.T. ON IA 180165/2019
FOR EX-PARTE STAY ON IA 182314/2019
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
182315/2019
IA No. 180163/2019 - EX-PARTE STAY
IA No. 182314/2019 - EX-PARTE STAY
IA No. 180164/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 180165/2019 - EXEMPTION FROM FILING O.T.
IA No. 182315/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 9339/2019 (XVII)
(FOR EX-PARTE STAY ON IA 186439/2019
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
186442/2019
FOR EXEMPTION FROM FILING O.T. ON IA 186443/2019
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
186446/2019
IA No. 186439/2019 - EX-PARTE STAY
IA No. 186442/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 186443/2019 - EXEMPTION FROM FILING O.T.
IA No. 186446/2019 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 3122/2020 (XVII)

IA No. 83700/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 83702/2020 - EXEMPTION FROM FILING O.T.

IA No. 83701/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 83699/2020 - STAY APPLICATION)

C.A. No. 2983/2020 (XVII)

IA No. 74503/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 74504/2020 - EXEMPTION FROM FILING O.T.

IA No. 74502/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 74501/2020 - STAY APPLICATION)

C.A. No. 3329/2020 (XVII)

IA No. 90390/2020 - ADDITION / DELETION / MODIFICATION PARTIES

IA No. 99023/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 90389/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 99024/2020 - EXEMPTION FROM FILING O.T.

IA No. 99022/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 90388/2020 - STAY APPLICATION)

C.A. No. 3402/2020 (XVII)

IA No. 103689/2020 - APPLICATION FOR PERMISSION

IA No. 103691/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 100145/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 100143/2020 - STAY APPLICATION)

C.A. No. 2286-2287/2021 (XVII)

(IA No.68044/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.68045/2021-EXEMPTION FROM FILING O.T. and IA
No.68043/2021-CONDONATION OF DELAY IN FILING APPEAL)

Date : 19-02-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ARAVIND KUMAR

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Ms. Nishtha Wadhwa, Adv.

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

CA No. 3122/2020 and CA No. 2286-2287/2021

Appeals are disposed of in terms of the Signed Order which is
place on the file.

Pending application(s), if any, shall stand disposed of.

Remaining matters

At the request of the parties, list the matters on 26.02.2024
to enable them to file their responses.

Post C.A. No. 3191 of 2020 along with this batch of matters.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
COURT MASTER (NSH)