

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4922 OF 2018

TALOJA CETP COOPERATIVE SOCIETY LIMITED ... Appellant(s)

VERSUS

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE & ORS. ... Respondent(s)

O R D E R

It is, *inter alia*, submitted by Mr. Guru Krishna Kumar, learned senior counsel appearing for the appellant, that the National Green Tribunal (hereinafter referred to as 'Tribunal') has passed the impugned order on the assumption that no reply is filed by the appellant which is specifically recorded in the order also. He points out that it is factually incorrect as the appellant had filed reply. Copy of the reply is annexed with the appeal as well. He further submits that the appellant-Society has been dissolved and Board of Administrators has been appointed by the Registrar, Cooperative Societies, and, therefore, it is not the appellant-Society which is responsible for the state of affairs.

In the aforesaid circumstances, we permit the appellant to approach the Tribunal again with appropriate application and the same shall be considered by the Tribunal

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on its own merits. The appellant is permitted to file such an application within one week. Till the decision on the application, the direction contained in the impugned order for the deposit of Rs.5 crores shall be kept in abeyance.

The civil appeal stands disposed of.

....., J.
[A.K. SIKRI]

....., J.
[ASHOK BHUSHAN]

New Delhi;
May 10, 2018.

ITEM NO.8

COURT NO.6

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. 4922/2018

TALOJA CETP COOPERATIVE SOCIETY LIMITED
VERSUS
MINISTRY OF ENVIRONMENT, FOREST AND
CLIMATE CHANGE & ORS.

Appellant(s)

Respondent(s)

(With IA No.69573/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.69572/2018-STAY APPLICATION, IA No.69575/2018-EXEMPTION FROM FILING O.T. and IA No.68739/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 10-05-2018 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Appellant(s) Mr. Gurukrishna Kumar, Sr. Adv.
Mr. Suhas Kadam, Adv.
Mr. Dhananjay Shete, Adv.
Mr. Tarundeep Singh, Adv.
M/S. Lemax Lawyers & Co., AOR

For Respondent(s) Mr. Arvind S. Avhad, AOR
Mr. Chetan Nagare, Adv.
Mr. Lalit Mohan, Adv.

Ms. Ramni Taneja, Adv.
Mr. Guru Prasad, Adv.
Mr. Soumik Ghosal, Adv.
Mr. Gaurav Singh, Adv.

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

The civil appeal stands disposed of in terms of the signed order.

Pending applications stand disposed of.

(NIDHI AHUJA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER

[Signed order is placed on the file.]