

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**Original Application No. 36/2017/EZ**

**SHIVAJI CHATTERJEE**

**Vs**

**HIMADRI CHEMICAL & Ors.**

**CORAM: Hon'ble Mr. Justice S.P.Wangdi, Judicial Member**

**PRESENT: Applicant : Mr. Tanmay Chakraborty, Advocate  
Mr. D. Gomes, Advocate  
Respondent No. 1 : Mr. Swarajit Dey, Advocate  
Respondent No. 2 : Mr. Dipanjan Ghosh, Advocate  
Other Respondents : None**

<b>Date &amp; Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 12 16<sup>th</sup> January, 2018.</b>	<p>Matter was heard in part but as the Bench which had heard ceased to exist, it was adjourned for today for hearing. The case cannot be heard even today as the statutory coram is not available for the purpose.</p> <p>Mr. D. Gomes, Ld. Counsel for the Applicant prays for an interim direction for inspection of the unit by a Committee which had conducted similar inspection earlier in terms of the order of the State PCB dated 23.03.2010 in view of the unabated pollution resulting due to the operation of the unit and the deleterious effect on the villagers caused by such pollution.</p>

Mr. Swarajit Dey, Ld. Advocate for the Respondent No. 1, submits that inspection carried out earlier had found the unit to be a zero discharge unit and further inspection was uncalled for.

On the other hand, it is strongly argued by Mr. Gomes that subsequent inspections held after the one referred to by Mr. Dey had shown otherwise which stand substantiated even by various newspaper reports.

Although there appears to be force in the submissions of Mr. Gomes, it would not be appropriate for us to pass the order as prayed for by him without an application being filed setting out the grounds therefor.

Let such application be filed before the next date with advance copies on the other side. The application shall be considered on the date fixed.

**List on 28.02.2018.**

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Justice S.P.Wangdi, JM

16-01-2018

