

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

**Original Application No.80(T_{HC}) of 2013
(M.A. No. 498 of 2013 & M.A. No.53 of 2014)**

IN THE MATTER OF:

**Nadia District Brick Manufacturers Association & Anr.
Vs.
West Bengal Pollution Control Board & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER**

Present:

Applicant :	Mr. Shubhayu Roy, Adv. With Mr. Soumya Dutta, Adv.
Respondent No. 1-4:	Mr. Amit Agarwal, Advocate and Ms. Asha Bajju, Adv.
Respondent No. 5:	Ms. Panchajanjya Batra Singh, Adv.,
Respondent No. 7 :	Mr. Bikas Kar Gupta, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 11 August 12, 2015	<p>The Learned Counsel appearing for the Applicant submits that in view of the fact that the Respondents have framed guidelines for controlling the activity and granting and refusing consent to the brick kilns, he would like to challenge it. He further submits that the respondents should not take up the ground of jurisdiction on the plea that they have published the guidelines in furtherance to the order of the Principal Bench, in the event the Applicant files an application before the Eastern Bench. The Applicant has also contended that he should be permitted to raise ground of alternative technology being available for carrying out the said business.</p> <p>The Learned Counsel appearing for the Respondents submit that they would not raise such an objection and the applicant may challenge the guidelines in accordance with law.</p>

Keeping all the grounds and right of both the parties open the application is disposed of as withdrawn with liberty to the Applicant to challenge the guidelines in accordance with law. Rights and pleas of both parties are kept open.

Thus, the Original Application No. 80 of 2013 stands disposed of with no order as to costs.

M. A. No. 498 of 2013 and M. A. No. 53 of 2014

The M. A. No. 498 of 2013 and M. A. No. 53 of 2014 do not survive for consideration as the main application itself stand disposed of.

.....,CP
(Swatanter Kumar)

.....,JM
(M.S. Nambiar)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(Prof. A.R. Yousuf)

