

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 SCIVIL APPEAL NO. 8430/2022

MUNICIPAL CORPORATION GHAZIABAD

APPELLANT(S)

VERSUS

CENTRAL POLLUTION CONTROL BOARD &amp; ORS.

RESPONDENT(S)

(IA No.173035/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.173033/2022-STAY APPLICATION and IA No.173037/2022-EXEMPTION FROM FILING O.T. and IA No.173032/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES )

Date : 06-02-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA  
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Mr. Vishwajit Singh, Sr. Adv.  
Mrs. Niranjana Singh, AOR  
Mr. Pankaj Singh, Adv.  
Ms. Ridhima Singh, Adv.  
Mr. Vignesh Singh, Adv.  
Ms. Vibha Bhat, Adv.

For Respondent(s) Mr. Rajeev Kumar Dubey, Adv.  
Mr. Kamendra Mishra, AOR

Respondent no.6 Ms. Tulika Mukherjee, AOR  
(GDA) Ms. Ekta Bharti, Adv.  
Mr. Zain Khan, Adv.

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

In view of the letter circulated by the learned counsel for the respondent - State of Uttar Pradesh seeking adjournment, re-list in the month of August 2023.

It is pointed out that the Ghaziabad Development Authority ('GDA') has filed a review petition before the National Green Tribunal ('NGT') and the same is listed for hearing this month.

In the meanwhile, the Municipal Corporation Ghaziabad will file an updated status report on each deficiency pointed out in the impugned judgment by the NGT. The status report will enclose a copy of the test reports from the authorized/nominated test institutes. The status report will be filed on or before 30.06.2023 and a copy thereof will be made available to the Oversight Committee appointed by the NGT, who may submit their response to the status report within 21 days after receipt of the status report along with the test reports.

We also direct the GDA to make payment of Rs.1,04,20,000/-, if not already paid, for disposal of legacy waste dumped from the period 21.10.2020 to 31.03.2022, as has been noticed in Paragraph '7' of the impugned judgment. The said amount, if not already paid, will be paid by the GDA to the Municipal Corporation Ghaziabad within a period of one month.

The GDA will file an affidavit in this Court stating the total amount received towards external development charges and utilization and expenditure incurred from the said account.

(POOJA SHARMA)  
COURT MASTER (SH)

(R.S. NARAYANAN)  
COURT MASTER (NSH)