

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 10854 OF 2018

MAHARASHTRA POLLUTION CONTROL  
BOARD & ANR.

APPELLANT(S)

VERSUS

CHARUDATT PANDURANG KOLI & ORS.

RESPONDENT(S)

O R D E R

We have gone through the contents of the Affidavit dated 06.11.2018 filed by the appellant-Maharashtra Pollution Control Board ("MPCB" for short), which states in detail the steps that have been taken by the MPCB Expert Committee from time to time to carry out the directions of the National Green Tribunal ("Tribunal" for short). We also have noticed that the Tribunal has itself constituted the team comprising of Senior Scientists, Engineers of Central Pollution Control Board ("CPCB"), National Environmental Engineering Research Institute, Nagpur ("NEERI") and MPCB and it is this Committee which was to take further steps for carrying out the directions of the Tribunal.

It is undisputed that the Committee was constituted. Since the Committee comprised members from CPCB and NEERI as well, it was not solely within the hands of the MPCB to stick to the time schedule

mentioned in the Order dated 17.07.2018.

For these reasons, we allow this appeal partly and set aside the Order of the Tribunal insofar as it imposes penalty of Rs. One Crore upon the MPCB as well as the direction regarding personal appearance of the Chairman and Member Secretary of MPCB.

At the same time, we also feel that the issue that is being dealt with by the Tribunal is of great importance as it is dealing with the ambient air quality in Mahul Village, Ambapada in Mumbai and has adversely affecting the health of the inhabitants living there. Therefore, we expect the MPCB to take immediate steps, as stated in the aforesaid affidavit and carry out the directions passed by the National Green Tribunal from time to time, as soon as possible.

.....J.  
(A.K. SIKRI)

.....J.  
(ASHOK BHUSHAN)

.....J.  
(S. ABDUL NAZEER)

NEW DELHI,  
NOVEMBER 14, 2018

ITEM NO.7

COURT NO.3

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(s). 10854/2018

MAHARASHTRA POLLUTION CONTROL BOARD &amp; ANR.

Appellant(s)

VERSUS

CHARUDATT PANDURANG KOLI &amp; ORS.

Respondent(s)

(IA No.158524/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and IA No.158523/2018-STAY APPLICATION)

Date : 14-11-2018 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE ASHOK BHUSHAN  
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Appellant(s) Mr. Tushar Mehta, S.G.  
Mr. Kavın Gulati, Sr. Adv.  
Mr. Mukesh Verma, Adv.  
Mr. Pawan Kumar Shukla, Adv.  
Mr. Yash Pal Dhingra, AOR

For Respondent(s) Mr. Nikhil Nayyar, Adv.  
Mr. Sangramsingh R. Bhonsle, Adv.  
Mr. Siddharth A. Mehta, Adv.  
Ms. Samridhi S. Jain, Adv.  
Mr. Akshay Joshi, Adv.  
Mr. Sameer Abhyankar, AOR

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

The appeal is partly allowed in terms of the signed order.

Pending applications, if any, stand disposed of.

(SUSHIL KUMAR RAKHEJA)  
AR-CUM-PS

(RAJINDER KAUR)  
BRANCH OFFICER

(Modified signed order is placed on the file.)

OUT TODAY

ITEM NO.7

COURT NO.3

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R E C O R D O F P R O C E E D I N G S

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AR-CUM-PS(RAJINDER KAUR)  
BRANCH OFFICER

(Signed order is placed on the file.)

