

ITEM NO.5

COURT NO.16

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). 2653/2022

UMANG DIARIES LTD.

Appellant(s)

VERSUS

KAPIL & ORS.

Respondent(s)

(IA No.49426/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.49424/2022-EX-PARTE STAY and IA No.51376/2022-
PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 11-04-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Appellant(s) Mr. Pinaki Mishra, Sr. Adv.
Mr. Ashish Prasad, Adv.
Mr. Abhishek Shivpuri, Adv.
Mr. Pruthvi Dhinoja, Adv.
Mr. Mahfooz Ahsan Nazki, AOR

For Respondent(s)

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

Issue notice returnable on 8th August, 2022.

Meanwhile, there shall be a stay on the impugned order directing payment of compensation, subject to the appellant depositing Rupees One Crore within one month from today with Central Pollution Control Board. This deposit would abide by subsequents orders in this appeal.

In view of the aforesaid interim order, there would also be stay of the direction given in sub-para 'b' of paragraph 131 of the impugned order. However, directions of sub-paras 'c', 'd', 'e' and 'f' of the impugned order have not been stayed.

The environmental authority / Pollution Board would also prepare a report with regard to the ground water status in District Amroha, Uttar Pradesh. This report would indicate the quantum of usage of ground water by industries, domestic and agricultural purpose in the district (both volume and percentage); and steps taken and directions issued to replenish the ground water in the district. The Central Ground Water Authority (CGWA) would also file an affidavit giving reasons for the delay in processing the application filed by the appellant for renewal of the grant of permission to withdraw / extract ground water.

Reply/counter affidavit and report would be filed by the respondents within a period of four weeks from the date of service. Rejoinder affidavit, if any, to be filed within three weeks from the service of the reply/counter affidavit.

(SONIA BHASIN)
COURT MASTER (SH)

(DIPTI KHURANA)
COURT MASTER (NSH)

