

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2629 OF 2020

YASHYASHVI RASAYAN PVT. LTD.

Appellant(s)

VERSUS

GUJARAT POLLUTION CONTROL BOARD & ANR.

Respondent(s)

O R D E R

Heard Mr. Harish Salve, learned senior counsel appearing for the appellant. He has very fairly stated that with respect to payment of compensation of Rs. 15 Lakhs by way of interim compensation on account of death, the appellant has no objection. Similarly in case of grievous injuries, Rs. 5 Lakhs per person, they have no objection. And with respect to Rs. 2.5 Lakhs towards injuries caused to the persons hospitalised, they have no objection to deposit the amount, as ordered by the National Green Tribunal (NGT). However, with respect to the displacement of 4800 persons, compensation of Rs.25,000/- (Rupees Twenty Five Thousand) per person has been ordered. It is submitted that there might have been displacement of persons only for few hours and therefore, the compensation awarded is on a higher side. It is not necessary to award the compensation in such a case of displacement of persons only for few hours. Moreover, the Tribunal

has passed the order only on the basis of newspaper reports.

After hearing the learned counsel for the appellant at length, we feel that it is a fit case in which the appellant should approach the NGT itself for modification of the order stating the fact in detail as to how many persons were displaced and for how much period.

We request the Tribunal to reassess the compensation, if necessary, in the light of the data to be placed before it. It is made clear that we have not commented on the merits of the case while passing the order.

Ten days' time is granted to make the payment. The disbursement of the amount to the displaced persons shall remain stayed till a fresh decision is taken by the NGT.

The appeal is disposed of accordingly.

.....J.  
[ ARUN MISHRA ]

.....J.  
[ SANJIV KHANNA ]

New Delhi;  
JUNE 22, 2020.

ITEM NO.6

Virtual Court 1

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). 2629/2020

YASHYASHVI RASAYAN PVT. LTD.

Appellant(s)

VERSUS

GUJARAT POLLUTION CONTROL BOARD &amp; ANR.

Respondent(s)

(IA No.56043/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.56042/2020-EX-PARTE STAY and IA No.56044/2020-EXEMPTION FROM FILING O.T. and IA No.56099/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.56045/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.56097/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.56046/2020-APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT)

Date : 22-06-2020 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE SANJIV KHANNA

For Appellant(s) Mr. Harish Salve, Sr. Adv.  
Mr. Devang Nanavati, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Prachiti Shah, Adv.  
Mr. Anshuman Srivastava, Adv,  
Mr. Shaishir S. Divatia, Adv.  
Mr. Vandan, Adv.  
For Mr. E.C. Agrawala, AOR.

For Respondent(s)

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

The appeal is disposed of in terms of the signed order.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)  
COURT MASTER

(JAGDISH CHANDER)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)