BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

M.A. No. 375 of 2014 Appeal No. 43/2014

M/s Hindustan Coca-cola Beverages Pvt. Ltd. V/s

U. P. Pollution Control Board

CORAM: HON'BLE MR. JUSTICE M. CHOKALINGAM, JUDICIAL MEMBER

HON'BLE DR. A. A. DESHPANDE, EXPERT MEMBER

Present: Applicant / Appellant

Respondent No. 1

: Mr.Sandeep Sethi, Sr. Adv., Ms. Ruby Singh Ahuja, Mr. Manu Aggarwal and Ms. Neha Gupta, Advs.

: Mr. Pradeep Misra, Mr. Daleep Kr. Dhayani and

Mr. Manoj Kr. Sharma, Advs. : Mr. B.V. Niren, Adv. MR. Prasouk Jain, Adv. and Y.B. Kaushik, Suptd. Hydro geologist, Central

Ground Water Authority.

Date and
Remarks
Item No. 3
June 16, 201

Orders of the Tribunal

Heard the Learned counsel appearing for the Appellant.

The Learned counsel for Respondent is present. Learned counsel for newly added party is also present.

After haring both sides the Tribunal feels that Appeal is fit for admission and accordingly the Appeal is admitted.

Learned counsel appearing for the Appellant, pressing for the interim relief of stay of the operation of the impugned order, would submit that no objection from the Central Ground Water Authority is not necessary for carrying on the industry of the Appellant and that too in respect of the existing industry which has been in operation from 1998. The counsel would further add that it is a clear case of violation of principles of natural justice and hence an interim order of stay of the impugned order has to be granted. In reply Learned counsel appearing for Respondent - Pollution Control Board would submit that whether it is the old existing industry or new expansion it would require NOC from Central Ground Water Authority and in the instant case, it is admitted that no objection certificate was obtained by the Appellant and hence it is not a fit case for granting interim stay. It is pertinent to point out that newly added party namely, Central Ground Water Authority has not filed its reply. The question whether to grant the interim relief of stay or not can be considered only after the reply of the newly added Respondent is filed. Hence the matter is adjourned to 20th June, 2014 for filing of the reply of the newly added Respondent.

......, JM
(M. Chokalingam)
....., EM
(A. A. Deshpande)