

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 88 /2018
(M.A. No. 241 /2018 & M.A. No. 373 /2018)
And**

**Original Application No. 89 /2018
(M.A. No. 242 /2018 & M.A. No. 371 /2018)
And**

**Original Application No. 90 /2018
(M.A. No. 243 /2018 & M.A. No. 370 /2018)
And**

**Original Application No. 91 /2018
(M.A. No. 244 /2018 & M.A. No. 369 /2018)
And**

**Original Application No. 92 /2018
(M.A. No. 245 /2018 & M.A. No. 372 /2018)
And**

**Original Application No. 93 /2018
(M.A. No. 246 /2018 & M.A. No. 374 /2018)**

IN THE MATTER OF:

**M/s Oriental Sales Agencies (India) Pvt. Ltd.
Vs.
Ministry of Environment, Forest & Climate Change
And
M/s South City Projects (Kolkata) Ltd.
Vs.
Ministry of Environment, Forest & Climate Change
And
M/s Golden Glow Estates Pvt. Ltd.
Vs.
Ministry of Environment, Forest & Climate Change
And
M/s South City Projects (Kolkata) Ltd.
Vs.
Ministry of Environment, Forest & Climate Change
And
M/s Khetawat Towers LLP
Vs.
Ministry of Environment, Forest & Climate Change
And
M/s Sunvision Builders (P) Ltd.
Vs.
Ministry of Environment, Forest & Climate Change**

**CORAM : HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Present: Applicant : Mr. Sanjay Upadhyay and Mr. Saurabh Rajpal, Advs.
Respondents Mr. Ravinder Kr. Gupta, Adv.**

Date and Remarks	Orders of the Tribunal
<p>Item Nos. 02 to 07</p> <p>March 16, 2018</p> <p>A</p>	<p>Heard.</p> <p>These matters raise the same issue seeking similar or identical relief hence we have taken up the following cases to be disposed by a common order.</p> <p>Original Applications Nos. 88/2018, 89/2018, 90/2018, 91/2018, 92/2018 and 93/2018</p> <p>In that view of the matter we may not refer to the details of the pleadings in each of the case. However, the substance of contentions of the Applicant is that they had proposed the project to be implemented but in view of the requirement of law that prior environment clearance shall be obtained in terms of the EIA Notification, 2006, they took up further action. However, as the projects come within the mis-chief of provisions that require to apply for grant of Environment clearance they applied to the SEIAA of the West Bengal for grant of Environmental Clearance Applications dated 19.08.2017, 11.07.2017, 27.07.2017, 11.09.2017, 16.08.2017 and 28.07.2017 later it was found that should be permitted the MOEF & CC. By subsequent event transferred to the concerned by the MOEF & CC. The Application filed before SEIAA is pending.</p> <p>In similar circumstances in the case of M/s Grenesiis Constro Pvt. Ltd. Vs. Ministry of Environment, Forest and Climate Change – Original Application No. 420 of 2017, allowed and MOEF was directed to consider the Application expeditiously and in any circumstances within</p>

**Item Nos.
02 to 07**

**March 16,
2018**

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a time frame. This Tribunal found favour with the said request and by order dated 23rd June, 2017 allowed the Application copy of which is produced before us. We have perused the said order and are satisfied that consistency in consideration and also on question of parity, the Applicant's will be titled to the same relief as granted by the said order. Hence we dispose of Original Applications Nos. 88/2018, 89/2018, 90/2018, 91/2018, 92/2018 and 93/2018 in terms of the order passed in Original Application No. 420/2017.

We further direct MOEF & CC / SEIAA (whichever is the Competent Authority) to pass appropriate order within a period of six weeks.

With the observations, all the above Original Applications and the Misc. Applications filed therein stand disposed of without any order as to costs.

.....,JM
(Dr. Jawad Rahim)

.....,JM
(S.P. Wangdi)

.....,EM
(Dr. Nagin Nanda)

16.03.2018