

SECTION PIL (WRIT)

MATTER FOR : 12.09.2018

COURT NO. : 03

ITEM NO. : 01

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

INTERLOCUTORY APPLICATION NO. 103/2007

(Application for directions)

AND

INTERLOCUTORY APPLICATION NO. 156/2013

(Application for Intervention)

AND

INTERLOCUTORY APPLICATION NO. 108894 & 119359 of 2018

(Appeal against Registrar's Order dated 14.07.2018 and
application for condonation of delay in filing appeal)

IN

WRIT PETITION (CIVIL) NO. 337 OF 1995

(Under Article 32 of the Constitution of India)

Centre for Environmental Law, WWF-1

....Petitioner

Versus

Union of India & Ors.

...Respondents

OFFICE REPORT

It is submitted that Interlocutory Application Nos. 103 & 156 in writ petition above-mentioned was listed before the Hon'ble Court on 07.08.2018, when the Court was pleased to pass the following order:

“List the matter on 12.09.2018.”

It is submitted that no further document has been filed in I.A. Nos. 103 & 156, so far.

It is next submitted Mr. Aman Varma, Advocate has on 31.05.2018 filed an Application for Impleadment as party respondent and on 19.06.2018 filed Application for direction which have been placed before Learned Register on 14.07.2018, when he was pleased to pass the following Order:-

- “1. Perused office report and record on the file.
2. The instant application for impleadment as party respondent has on 31.05.2018 and the application for directions dated 19.6.2018 filed by Mr. Aman Varma, Advocate for the applicant in relation to W.P.(C) No. 337/1995.
3. As far as the office note and record on file, the afore-mentioned W.P. (C) 337/1995 is pending in this court in which the Hon'ble Court was inter-alia

please to pass the order on 5.10.2015 is as under:-

“II. MATTERS RELATING TO NATIONAL PARKS AND WILDLIFE SANCTUARIES:

Now we come to matters relating to National Parks and Wildlife Sanctuaries.

At the time of hearing on the aforesaid subject, certain suggestions are made by the learned amicus curiae and other senior counsels. By incorporating them, we pass the following order(s):

All matters for grant of permissions for implementation of projects in areas falling in National parks/sanctuaries, including rationalization of boundaries etc. will be considered by the Standing Committee of the National Board for Wildlife (“NBWL”) on its own merits and in conformity with the orders and directions passed by this Court from time to time, i.e. on 14.02.2000, 16.12.2002, 13.11.2000, 9.5.2002, 25.11.2005 and 14.09.2007 and other subsequent clarificatory orders/judgment(s) passed by this Court including the Goa Foundation Judgment, i.e. Goa Foundation Vs. Union of India & Ors., reported in (2014) 6 SCC 590.

We request the NBWL to furnish a copy of the orders passed by it within 30 days' time to the C.E.C. The C.E.C. is at liberty, if, for any reason, they are aggrieved by the decision of the Standing Committee of NBWL to approach this Court by filing an appropriate petition/application.

In all those matters where there is already decision of the Standing Committee of the NBWL shall abide the parties with all the conditions imposed therein.

If any party is aggrieved by the decision of the Standing Committee of the NBWL, they are at liberty to approach an appropriate forum for appropriate relief(s).”

4. It is clear from the afore-mentioned order dated 5.10.2015 that all matters for grant of permissions for implementation of projects in areas falling in National parks/sanctuaries, including rationalization of boundaries etc. will be considered by the Standing Committee of the National Board for Wildlife (‘NBWL’) on its own merits and in these matters

where there is already decision of the standing committee of the NBWL shall abide the parties with all the conditions imposed therein.

5. In view of the above, the application for impleadment as party respondent and application for directions does not disclose any reasonable cause and the same may not be received for registration but deserves to be lodged.

6. Therefore, the applications for impleadment as party respondent and application for directions filed by Mr. Aman Varma, Advocate for the applicant are hereby lodged under the provisions of Order XV Rule 5 of the Supreme Court Rules, 2013.

7. Parties be informed accordingly.

It is submitted that pursuant to above Order, copy of aforesaid Order has been sent to Mr. Aman Varma, Advocate for the Applicant.

It is further submitted that Mr. Aman Varma, Advocate has on 03.08.2018 filed Appeal against Registrar's Order dated 14.07.2018 by way of Interlocutory Application and on 23.08.2018 filed Application for condonation of delay in filing Appeal. The said applications have been registered as I.A. Nos. 108894 & 119359 of 2018 respectively and the same is being circulated for the kind perusal of Hon'ble Court.

The Interlocutory Applications above-mentioned are listed before the Hon'ble Court with this Office Report for orders.

Dated this the 11th day of September, 2018.

Sd/-
Assistant Registrar