

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3122 of 2020

VINDHYACHAL SUPER THERMAL POWER STATION ... APPELLANT(S)

VS.

ANJANI JAISWAL & ORS. ... RESPONDENT(S)

AND

CIVIL APPEAL NO. 2286-2287 of 2021

O R D E R

1. Mr. Tushar Mehta, learned Solicitor General has submitted that CA No. 3122 of 2020 and 2286-2287 of 2021 pertain to the issue of utilization and disposal of fly ash by thermal power plants and that similar matters have been disposed of by this Court vide judgment dated 10.05.2022.

2. In view of the submission made by the Solicitor General, we take note of the Notification dated 31.12.2021 and the order of this Court in M/s Aravali Power Co Pvt Ltd vs. Vedprakash and Another dated 10.05.2022, 2022 INSC 547, disposing of the proceedings as under:

"13 In view of the above discussions, and having regard to the notification dated 31 December 2021, the impugned orders of

the National Green Tribunal shall stand set aside.

14 The appeals shall stand disposed in terms of the above directions.

15 We clarify that this judgment shall not be construed as a decision on merits upholding the validity of the notification dated 31 December 2021. Any party aggrieved by the terms of the notification would be at liberty to pursue the remedies which are available in law before the appropriate forum."

3. In view of the notification and following the order passed by this Court, we dispose of these two appeals on similar terms.

4. Accordingly, appeals are disposed of.

.....J.  
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.  
[ARAVIND KUMAR]

NEW DELHI;  
FEBRUARY 19, 2024.

ITEM NO.63

COURT NO.16

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No(s). 4251-4252/2019

NORTHERN COALFIELDS LTD

Appellant(s)

VERSUS

ASHWANI KUMAR DUBEY & ORS.

Respondent(s)

IA No. 169299/2019 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 167874/2019 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 41777/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT)

WITH

C.A. No. 5324-5325/2019 (XVII)

(FOR CLARIFICATION/DIRECTION ON IA 79727/2019  
FOR CLARIFICATION/DIRECTION ON IA 170529/2019  
IA No. 79727/2019 - CLARIFICATION/DIRECTION  
IA No. 170529/2019 - CLARIFICATION/DIRECTION)

C.A. No. 9035/2019 (XVII)

(FOR EX-PARTE STAY ON IA 180163/2019  
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA  
180164/2019  
FOR EXEMPTION FROM FILING O.T. ON IA 180165/2019  
FOR EX-PARTE STAY ON IA 182314/2019  
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA  
182315/2019  
IA No. 180163/2019 - EX-PARTE STAY  
IA No. 182314/2019 - EX-PARTE STAY  
IA No. 180164/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT  
IA No. 180165/2019 - EXEMPTION FROM FILING O.T.  
IA No. 182315/2019 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 9339/2019 (XVII)

(FOR EX-PARTE STAY ON IA 186439/2019  
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA  
186442/2019  
FOR EXEMPTION FROM FILING O.T. ON IA 186443/2019  
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA  
186446/2019  
IA No. 186439/2019 - EX-PARTE STAY  
IA No. 186442/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT

IA No. 186443/2019 - EXEMPTION FROM FILING O.T.  
IA No. 186446/2019 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 3122/2020 (XVII)

IA No. 83700/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT

IA No. 83702/2020 - EXEMPTION FROM FILING O.T.

IA No. 83701/2020 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES

IA No. 83699/2020 - STAY APPLICATION)

C.A. No. 2983/2020 (XVII)

IA No. 74503/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT

IA No. 74504/2020 - EXEMPTION FROM FILING O.T.

IA No. 74502/2020 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES

IA No. 74501/2020 - STAY APPLICATION)

C.A. No. 3329/2020 (XVII)

IA No. 90390/2020 - ADDITION / DELETION / MODIFICATION PARTIES

IA No. 99023/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 90389/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT

IA No. 99024/2020 - EXEMPTION FROM FILING O.T.

IA No. 99022/2020 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES

IA No. 90388/2020 - STAY APPLICATION)

C.A. No. 3402/2020 (XVII)

IA No. 103689/2020 - APPLICATION FOR PERMISSION

IA No. 103691/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 100145/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT

IA No. 100143/2020 - STAY APPLICATION)

C.A. No. 2286-2287/2021 (XVII)

( IA No.68044/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and IA No.68045/2021-EXEMPTION FROM FILING O.T. and IA  
No.68043/2021-CONDONATION OF DELAY IN FILING APPEAL)

Date : 19-02-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA  
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Appellant(s) Mr. Adarsh Tripathi, Adv.  
Mr. Vibhanshu Srivastava, Adv.  
Mr. Nirmal Srivastava, Adv.  
Mr. Talha Abdul Rahman, AOR  
Mr. M. Shaz Khan, Adv.  
Mr. Adnan Yousuf, Adv.

Mr. Gaurav Dudeja, Adv.  
Mr. Archit Upadhyay, AOR  
Mr. Akarsh Garg, Adv.  
Mr. Ashutosh Ranjan, Adv.  
Mr. Dhruval Singh, Adv.

M/S. Ars Associates, AOR  
Mr. Ilesh Shukla, Adv.  
Ms. Ria Sachthey, Adv.  
Mr. Vishnu Kumar, Adv.  
Mr. Chetanya Singh, Adv.  
Mr. Chetan Sharma, Adv.  
Mr. Sarthak Sharma, Adv.  
Mr. Samarth Tyagi, Adv.  
Mr. Manav Jain, Adv.

Mr. Shri Venkatesh, Adv.  
Mr. Anant Singh Ubeja, Adv.  
Ms. Kanika Chugh, Adv.  
Ms. Nehal Jain, Adv.  
Mr. Abhishek Nangia, Adv.  
Mr. Bharath Gangadharan, Adv.  
Mr. Nitin Saluja, AOR

Mr. Tushar Mehta, Solicitor General  
Mr. Sudhanshu Prakash, AOR  
Ms. Anisha Agarwal, Adv.

Mr. Adarsh Tripathi, Adv.  
Mr. Vikram Singh Baid, Adv.  
Mr. Ajitesh Garg, Adv.  
Mr. Talha Abdul Rahman, AOR

**For Respondent(s) Caveator-in-person, AOR**

Mr. Ashutosh Kumar Sharma, AOR  
Mr. Saket Sikri, Adv.  
Mr. Vikalp Mudgal, Adv.  
Mr. Ajay Singh Kullar, Adv.

Mr. K M Nataraj, A.S.G.  
Mr. Gurmeet Singh Makker, AOR  
Mr. Shailesh Madiyal, Adv.  
Ms. Sarath Nambiar, Adv.  
Mr. Shantanu Sharma, Adv.  
Mr. Sarthak Karol, Adv.  
Mr. Padmesh Mishra, Adv.

M/S. Arputham Aruna And Co, AOR  
Mr. Avneesh Arputham, Adv.  
Mr. Ankit Sharma, Adv.

Mr. Avneesh Arputham, AOR  
Mr. Ankit Sharma, Adv.

Mr. Saurabh Mishra, A.A.G.  
Mr. Sunny Choudhary, AOR  
Mr. Abhimanyu Singh Ga, Adv.  
Mr. Jitendra Kumar Tripathi, Adv.

Mr. Saurabh Mishra, A.A.G.  
Mr. Pashupathi Nath Razdan, AOR  
Mr. Baijnath Patel, Adv.  
Mr. Mirza Kayesh Begg, Adv.  
Ms. Maitreyee Jagat Joshi, Adv.  
Mr. Astik Gupta, Adv.  
Ms. Akanksha Tomar, Adv.  
Mr. Argha Roy, Adv.  
Mr. Ojaswini Gupta, Adv.

Mr. Arjun Garg, AOR

Mr. Ashwarya Sinha, AOR  
Ms. Priyanka Sinha, Adv.  
Mr. Aditya Malhotra, Adv.

Mr. Raghav Sharma, Adv.  
Mr. Salvador Santosh Rebello, AOR  
Mr. Jaskirat Singh, Adv.  
Mr. Pranjal Pandey, Adv.

Mr. Pradeep Misra, AOR  
Mr. Daleep Dhyani, Adv.  
Mr. Suraj Singh, Adv.  
Mr. Manoj Kumar Sharma, Adv.  
Mr. Bhuvan Chand, Adv.

Mr. Ajay Aggarwal, AAG  
Mr. Apurva Aggarwal, Adv.  
Mr. Rajeev Kumar Dubey, Adv.  
Mr. Ashiwan Mishra, Adv.  
Mr. Kamendra Mishra, AOR

M/S. Ars Associates, AOR  
Mr. Ilesh Shukla, Adv.  
Mr. Manav Jain, Adv.  
Ms. Ria Sachthey, Adv.  
Mr. Chetanya Singh, Adv.  
Mr. Chetan Sharma, Adv.  
Mr. Sarthak Sharma, Adv.

Mr. Mahesh Agarwal, Adv.  
Mr. Anshuman Srivastava, Adv.

Mr. Nishant Rao, Adv.  
Mr. E. C. Agrawala, AOR

Mr. Shailesh Madiyal, AOR  
M/S. Khaitan & Co., AOR

M/S. Trilegal Advocates On Record, AOR  
Mr. Rajat Jariwal, Adv.  
Mr. S. Abhishek Iyer, Adv.  
Ms. Perna Singh, Adv.  
Ms. Aayushi Khurana, Adv.  
Ms. Nastassia Khurana, Adv.  
Ms. Shatakshi Tripathi, Adv.

Mr. Nitin Mishra, AOR  
Ms. Mitali Gupta, Adv.  
Mr. Ishaan Sharma, Adv.

Mr. Sudhanshu Prakash, AOR  
Ms. Anisha Agarwal, Adv.

Mr. Kiran Kumar Patra, AOR  
Mr. Sunil Mund, Adv.  
Mr. Sujit Kumar, Adv.  
Mr. Biswajit Kumar Patra, Adv.  
Mr. Chandrashekar Padhi, Adv.  
Mr. Surya Kanta Padhi, Adv.

Ms. Charu Sangwan, AOR

Mr. Gaurav Dudeja, Adv.  
Mr. Akarsh Garg, Adv.  
Mr. Archit Upadhyay, AOR  
Mr. Ashutosh Ranjan, Adv.  
Mr. Dhruval Singh, Adv.

M/S. Unuc Legal LLP, AOR  
Mr. Pawan Upadhyay, Adv.  
Mr. Sarvjit Pratap Singh, Adv.  
Ms. Sharmila Upadhyay, Adv.

Mr. Shri Venkatesh, Adv.  
Mr. Anant Singh Ubeja, Adv.  
Ms. Kanika Chugh, Adv.  
Ms. Nehal Jain, Adv.  
Mr. Abhishek Nangia, Adv.  
Mr. Bharath Gangadharan, Adv.  
Mr. Nitin Saluja, AOR

Mr. Shantanu Kumar, AOR  
Mr. Honey Singh, Adv.

Mr. Ashish Batra, Adv.

Mr. Talha Abdul Rahman, AOR

Mr. Umesh Kumar Khaitan, AOR

Mr. Deepak Khurana, Adv.

Ms. Nishtha Wadhwa, Adv.

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

CA No. 3122/2020 and CA No. 2286-2287/2021

Appeals are disposed of in terms of the Signed Order which is place on the file.

Pending application(s), if any, shall stand disposed of.

Remaining matters

At the request of the parties, list the matters on 26.02.2024 to enable them to file their responses.

Post C.A. No. 3191 of 2020 along with this batch of matters.

(KAPIL TANDON)  
COURT MASTER (SH)

(NIDHI WASON)  
COURT MASTER (NSH)