

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2021
(DIARY NO. 21275 OF 2021)

ULTIMATE V CARBON

Appellant(s)

VERSUS

THE DISTRICT ENVIRONMENTAL ENGINEER & ORS.

Respondent(s)

ORDER

Permission to file the civil appeal is granted.

Mr. Kapil Sibal, learned senior counsel, submits that the impugned order by the National Green Tribunal, Southern Zone, Chennai, was without notice to the appellant, who were never heard. Appellant, it is stated, is compliant with the statutory norms.

The impugned order refers to arguments by an association of charcoal manufacturers who had intervened and were heard before the impugned order was passed.

Be that as it may, it would be open to the appellants to file a review application before the National Green Tribunal, Southern Zone, Chennai, to press their stance and case. Review application, if filed, would be considered on grounds as permissible in law.

Learned senior counsel for the appellant states that the review application may be barred by limitation. If that be so, it

will be open to the appellant to move an application for condonation of delay, which application would be considered giving due regard to the fact that the appellant had filed the present appeal.

With the aforesaid observations, the civil appeal is disposed of without foreclosing the right of the appellant to subsequently challenge the impugned judgment

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

.....J.
(SANJIV KHANNA)

.....J.
(BELA M. TRIVEDI)

NEW DELHI
20th SEPTEMBER, 2021