

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

**Original Application No. 230/2015  
M.A. Nos. 600/2015, 606/2015, 730/2015 & 844/2015**

**Zila Apradh Virodhak Committee V/s. Central Pollution Control Board**

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present:**

<b>Applicant / Appellant</b>	<b>: appearance not marked</b>
<b>Respondent No. 1</b>	<b>: Mr. Raj Kumar, Adv. along with Mr. S. L. Gundli, SLO Adv.</b>
<b>Respondent No. 3 &amp; 4</b>	<b>: Mr. Pradeep Misra and Mr. Daleep Dhayani, And Mr. Manoj Sharma, Adv.</b>
<b>Respondent No. 2</b>	<b>: Mr. Vishwendra Verma and Ms. Shivali, Adv.</b>
<b>Respondent No. 5</b>	<b>: Mr. Akshay Abrol, Mr. Shiv Kant Arora, Adv.</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 20 October 01, 2015</b>	<p>Heard. Perused.</p> <p>Learned Counsel appearing for the Respondent No. 5 Mr. Balendu Shekhar, Advocate withdraws his appearance and in his place Learned Counsel Mr. Shiv Kant Arora, Advocate files his appearance.</p> <p>Pleadings are complete. The present application has been filed by the Zila Apradh Virodhak Committee through its General Secretary for seeking relief against the Respondent No.5 i.e. M/s Will World Environmental, having industrial unit engaged in bio-medical waste treatment, for its closure and for appropriate directions to the Respondent Nos. 1 to 4 i.e. CPCB, MoEF, UPPCB to issue appropriate directions for closure of the plant of Respondent No. 5, particularly on the grounds that the Respondent No. 5 had not followed the terms and conditions of the authorization to run the plant as well as the terms and conditions imposed by UPPCB from time to time.</p> <p>It is brought to our notice that the very applicant has preferred the Writ Petition being Civil Miscellaneous (PIL) Writ Petition 26826 of 2002 against the</p>

Respondents herein seeking quashing of the authorization order dated 07-06-2002 passed by the Respondent No. 2. The UPPCB in the High Court of Judicature at Allahabad and the Hon'ble High Court had stayed operation of the order dated 7-6-2002 and the said Writ Petition is pending. Moreover, Learned Counsel appearing for the Respondent No. 5, M/s Will World Environmental, on instructions makes a solemn statement that the Respondent No. 5 has duly complied with the terms and conditions stipulated in the letter no. F4956/C-2/B.M.W./15/14 dated 30-09-2014 by UPPCB for staying the closure directions vide letter no. F43639/C-2/B.M.W./15 dated 27-05-2014.

We, therefore, see no reason to proceed with this application, particularly when the core issue of authorization to Respondent No. 5 is pending before the Hon'ble High Court and as such there is likelihood of conflicting orders being passed in the proceedings by two separate forums. We, therefore, dispose of this application with liberty granted to the Applicant to move the Hon'ble High Court for appropriate reliefs.

All the pending Miscellaneous Applications do not survive for consideration as the main matter itself stands disposed of.

.....,JM  
(U.D. Salvi)

.....,EM  
(Ranjan Chatterjee)