

Application No. 18/2013

Neel Choudhary Vs. State of M.P. & Other

**QUORAM : HON'BLE MR. JUSTICE M.CHOCKALINGAM, JUDICIAL MEMBER**

**PRESENT :**

<b>Applicant :</b>	<b>Shri Vivek Choudhary, Adv.</b>
<b>Respondent No. 1, 3 &amp; 5 :</b>	<b>Shri Sachin K.Verma Adv.</b>
<b>Respondent No. 4 :</b>	<b>Shri Shivendu Joshi, Adv.</b>
<b>Respondent No. 6, 82, 83, 89, 90:</b>	<b>Shri Ajay Gupta,Adv.</b>
<b>Respondent No. 7, 8, 17 &amp; 32 :</b>	<b>Shri Shantanu Saxena, Adv.</b>
<b>Respondent No. 9, 11 to 13, 15 &amp; 16, 23 &amp; 31 :</b>	<b>Shri Deepesh Joshi, Adv.</b>
<b>Respondent No. 21 &amp; 27:</b>	<b>Shri Ashraf Ali, Adv.</b>
<b>Respondent No. 30:</b>	<b>Shri Arpit Saxena, Adv.</b>
<b>Respondent No.10, 6,41,45,54,55,72,73 : 75, 76,78,103,107</b>	<b>Shri O.S. Shrivastava, Adv.</b>
<b>Respondent No. 46:</b>	<b>Shri Arpit Agarwal, Adv.</b>
<b>Respondent No. 48 :</b>	<b>Shri Sudhin Shrivastav, Adv.</b>
<b>Respondent No. 59 :</b>	<b>Shri Shashank Khaira</b>
<b>Respondent No. 62:</b>	<b>Shri Bhaskar Mani Tripathi, Adv.</b>
<b>Respondent No. 95 :</b>	<b>Shri B.K.Chaturvedi, Adv.</b>
	<b>Shri S.K.Gupta</b>
<b>Respondent No. 3 :</b>	<b>Shri Vivek Agarwal, Adv.</b>
	<b>Shri Asadullah Khan, Adv.</b>
<b>Respondent No. 69 &amp; 105 :</b>	<b>Shri S.K.Dubey &amp; Shri B.B.Dubey</b>
<b>Respondent No. 74 and 104 :</b>	<b>Shri Rafique Khan, Adv.</b>
<b>Respondent No. 111 :</b>	<b>Shri Nishith Tripathi, Adv.</b>

<b>Date and Remarks</b>	<b>Order of the Tribunal</b>
<p><b>Item No. 3</b> <b>23<sup>rd</sup></b> <b>August,</b> <b>2013</b></p>	<p>The Counsels for the parties are present.</p> <p>Pursuant to the directions of the Tribunal, a meeting by the committee headed by the Member Secretary, MP Pollution Control Bard alongwith Additional Commissioner, Municipal Corporation and Dy. Director, Town and Country Planning, Bhopal on 14.08.2013 and following the same, an inspection was made on 16.08.2013 on the strength of which, an interim report is filed this day. The Learned Counsel appearing for the Municipal Corporation would submit that a survey was made by the committee. It would be found that out of the institutions mentioned in the application, 24 are found pollutant and violative of the provisions of law and hence, notices were issued to all those 24 institutions calling for their explanation why not action be taken against them and rely in that regard is award. The Learned Counsel would submit that in so far as the particulars were needed to be filed which they have called for in order to ascertain necessary action be taken in that regard also and thus, they would seek further time for filing the final report and also inform</p>

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the Tribunal about the action taken thereon.

In so far as the show cause notice served to the respondents calling for explanation is concerned since, the matter is pending in the hands of the Tribunal, the Municipal Corporation is not to take any coercive action pending the proceedings.

The matter is posted to 20.09.2013.

.....JM  
(M.CHOCKALINGAM)

.....EM  
(Dr. AJAY A. DESHPANDE)

