

Original Application No. 60/2013
Jagannath Mane Vs. Union of India & Ors

CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER

PRESENT : Applicant : Shri Shekhar Sharma, Advocate
Respondent No. 1 : Shri Om. S. Shrivastava, Advocate
Respondent No. 2, 3, 4 & 5 : Shri Sachin K.Verma, Advocate
Shri Ayush Dev Bajpai, Advocate
Respondent No. 6, 7 & 8 : Shri S.A.Sobhani, Advocate

Date and Remarks	Orders of the Tribunal
<p>Order no. 5 10th October, 2013</p>	<p>The Counsel for the applicant has filed a rejoinder. The same be taken on record.</p> <p>The Learned Counsel Shri Sachin K.Verma appearing for the State of Madhya Pradesh submits that a similar issue has arisen in Original Application No. 171/2013 in the case of Bar Association, National Green Tribunal Vs. Union of India before the Principal Bench, NGT, New Delhi in which the Principal Bench after hearing the arguments, reserved the Judgement on 24.09.2013 and the same is likely to come soon and as such we may await the Judgement of the Principal Bench, NGT as the issues involved therein are similar to the present case.</p> <p>Having heard the Learned Counsel for the parties, we are of the view that the case may be adjourned as prayed.</p> <p>The Counsel for the MoEF, respondent no. 1 shall file the reply in the meantime as the same has not been filed till date.</p> <p>In the meanwhile the respondent project proponents to whom the contracts and mining leases have been awarded by the State, shall not carry out any mining activity without having obtained the Environmental Clearance from the competent authority in accordance with law.</p> <p>We may however, make it clear that since the project proponents have been awarded contracts by the State for</p>

**Orig. Appl. No.
60/2013**

**10th October,
2013**

construction of the road, the State would be free to allot the quarry/mining sites which are not in dispute and do not fall within the scope of the ban imposed in Deepak Kumar's case and other decisions of the Hon'ble Supreme Court of India and the laws relating to environmental clearance.

Stand over to **19.11.2013**.

.....JM
(DALIP SINGH)

.....EM
(P.S.RAO)

