

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No(s). 45828/2023

[Arising out of impugned final judgment and order dated 03-05-2023 in OA No. 32/2021 passed by the National Green Tribunal, Western Zone, Pune]

VASAI VIRAR CITY MUNICIPAL CORPORATION

Petitioner(s)

VERSUS

CHARAN RAVINDRA BHATT & ORS.

Respondent(s)

(IA No.253159/2023-CONDONATION OF DELAY IN FILING and IA No.253157/2023-EX-PARTE STAY and IA No.253168/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 15-01-2025 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :

Mr. Atmaram N.S.Nadkarni, Sr. Adv.
Mr. Siddhesh Shirish Kotwal, AOR
Ms. Ana Upadhyay, Adv.
Ms. Manya Hasija, Adv.
Mr. Tejasvi Gupta, Adv.
Mr. T.Illayarasu, Adv.
Mr. Yatharth Gupta, Adv.

For Respondent(s) :

Mr. Pravartak Suhas Pathak, AOR
Mr. Ritu Raj, Adv.

Dr. Arvind S. Avhad, AOR
Mr. Rishabh Singh, Adv.
Mr. Nitin Jain, Adv.

Mr. Shashibhushan P. Adgaonkar, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

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

We have perused the affidavit filed by the Deputy Secretary, Urban Development Department, Mumbai. A very strange stand has been taken by the State Government. The stand is that the two projects cannot be cleared due to non-availability of funds. We are dealing with the implementation of the Solid Waste Management Rules, 2016. Non-implementation of the Rules has a direct nexus with air pollution. The State Government owes an explanation to this Court.

We direct the Principal Secretary of the Urban Development Department, Mumbai to remain present before this Court through Video Conference on 24th January, 2025.

He will have to explain to the Court how the State can refuse to provide funds to a Municipal Corporation for implementing statutory rules.

(KAVITA PAHUJA)
AR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)