

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3520 of 2015

DATE: 18.02.2015

Between:

Ravula Kasu Babu,
Visakhapatnam and others

... Petitioners

And

Union of India,
Ministry of Environment & Forest,
Rep. by its Secretary,
New Delhi and others

... Respondents

This Court made the following:

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

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Order: (per Sri Sanjay Kumar,J)

The petitioners challenge the public hearing proposed to be held by the Andhra Pradesh Pollution Control Board on 19.02.2015 in connection with the project sought to be established by the fourth respondent herein. The grievance of the petitioners is that, without following the due procedure as to notifying the proposed public hearing in the project affected areas, the said hearing is sought to be conducted on 19.02.2015.

The learned Standing Counsel appearing for the respondent Board however states on instructions that the public hearing slated to be held on 19.02.2015 has been indefinitely postponed.

In that view of the matter, accepting the plea of the petitioners that the proposed public hearing necessarily has to be held in accordance with the procedure laid down in the Environmental Impact Assessment Notification, 2006, promulgated by the Union of India and more particularly, para 3 thereof, the Writ Petition is disposed of directing the Andhra Pradesh Pollution Control Board to ensure that the said procedure is strictly adhered to while conducting the public hearing scheduled to be held in connection with the project of the fourth respondent herein.

Pending miscellaneous petitions, if any, shall also stand closed. No costs.

K.J. SENGUPTA, CJ

Date: 18.02.2015
va

SANJAY KUMAR, J