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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6944/2016**

MANTEC CONSULTANTS PVT. LTD. Petitioner

Through : Mr Suneet Bhardwaj, Advocate.

versus

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE & ANR Respondents

Through : Mr Vikram Jetley and Ms Namisha
Gupta, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **09.08.2016**

C.M. No.28525/2016(exemption)

Allowed, subject to all just exceptions.

W.P.(C) 6944/2016

The petitioner impugns the order dated 09.02.2016 whereby the petitioner was debarred from carrying on any preparation of EIA/EMP report and appearing before the Expert Appraisal Committee/State Expert Appraisal Committee/State Coastal Zone Management Authority across the country for a period of one year.

It is submitted that the petitioner had impugned the said order by filing W.P.(C) No.1396/2016, which was disposed of on 02.03.2016 directing the respondents to dispose of the representation of the petitioner as expeditiously as possible, preferably within a period of eight weeks, after

giving an opportunity of hearing to the petitioner. The operation of the impugned order dated 09.02.2016 was kept in abeyance.

It is contended that despite the directions passed on 02.03.2016 in W.P.(C) No. 1396/2016, no hearing was given and accordingly, the petitioner had to, once again, approach this Court by way of an interim application, which application was dismissed as withdrawn on 09.05.2016 as the respondent had agreed to grant a hearing to the petitioner on 13.05.2016. The hearing was granted on 13.05.2016, on which date written submissions were also filed. It is submitted that till date, no order has been passed.

Learned counsel for the petitioner submits that even though by order dated 02.03.2016, operation of the impugned order dated 09.02.2016 was kept in abeyance and removed from the website of respondent No.1, the customers of the petitioners are not entertaining the petitioner since the threat of the said order hangs on the head of the petitioner. It is contended that the delay in disposal of the representation of the petitioner is causing grave prejudice.

Learned counsel for the respondent submits that the representation is still under consideration and a final decision has not yet been taken.

It may be noted that on 02.03.2016, this Court had granted eight weeks time to the respondent to decide the representation. Between 02.03.2016 and 13.05.2016, no action was taken by the respondents. The petitioner was made to approach this Court once again on 13.03.2016. Under orders of this Court, the petitioner was given a hearing, however, till date even after passage of nearly 12 weeks, no decision has been taken by the respondents on the representations.

As a last opportunity, respondents are granted two weeks time from today to dispose of the representation of the petitioner. The decision shall be communicated to the petitioner.

The writ petition is accordingly disposed of giving liberty to the petitioner to approach this Court in case the decision is not taken by the respondents within a period of two weeks from today.

Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

AUGUST 09, 2016

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