

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPPIL No. 69 of 2019**

Chinmay Mohapatra S/o D. S. Mohapatra Aged About 42 Years R/o Village Saraitola, Tahsil- Tamnar, District- Raigarh, Chhattisgarh.

---- Petitioner**Versus**

1. Union of India Ministry of Environment, Forest And Climate Change, (Coal Mining) Government Of India, (MOEF And CC), Indira Paryavaran Bhawan, Jor Bag Road, Aliganj, New Delhi.
2. State of Chhattisgarh Through Secretary, Chhattisgarh Environment Conservation Department Paryavas Bhawan, Sector 19, North Block Atal Nagar, District- Raipur, Chhattisgarh.
3. C.G. State Environment Impact Assessment Authority Through Its Chirman, P 4b/226, Near Canera Bank, Sector-27, New Raipur, District- Raipur, Chhattisgarh.
4. Chhattisgarh Environment Conservation Baord Through Member Secretary, Paryavaas Bhawan, North Block, Sector-19, Atal Nagar, New Raipur District- Rapur, Chhattisgarh.
5. The Collector Raigarh District- Raigarh, Chhattisgarh.
6. The Secretary National Commission of Schedule Tribe, 6th Floor, B-Vind, Lok Nayak Bhawan, Khan Market, New Delhi.
7. The Chief General Manager Maharashtra State Power Generation Co. Ltd. Hdil Towers, 4th Floor, Prof, A.K. Marg, Bandra (E) Mumbai.
8. The Regional Officer Environment Conservation Board, Regional Office, Tv Road Raigarh, District- Raigarh, Chhattisgarh.

---- Respondents

For Petitioner	: Shri Vineet Kumar Pandey, Advocate.
For Respondent No.1	: Shri B.Gopa Kumar, Assistant Solicitor General.
For Respondents No.2,3,5	: Shri V.R. Tiwari, Additional Advocate General with Shri Sudeep Agrawal, Deputy Advocate General.
For Respondents No.4 & 8	: Shri Animesh Tiwari, Advocate.
For Respondent No.7	: Dr. N.K. Shukla, Senior Advocate with Shri Shailendra Shukla and Shri Dinesh Tiwari, Advocates.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

P. R. Ramachandra Menon, Chief Justice

03.10.2019

1. The prayers under following terms :-

“10.1 The Hon'ble Court may kindly be pleased to call for the entire records pertaining to the function and infrastructure of all the subordinate courts in the State.

10.2 The Hon'ble Court may kindly be pleased to issue directions to all the respondents to comply with the norms.

10.3 That, the Hon'ble Court may kindly be pleased to direct respondent No.4 and 7 to deferred the public hearing on 27/09/2019 till the report of “**Indian Council of Medical Research (ICMR)**” with regard to the health of the people leaving in Tamnar Block in the light of ongoing and new expected project shall not be submitted.

10.4 That, the Hon'ble Court may kindly be pleased to direct respondent No.4 to comply the direction of respondent No.1 As mentioned in **Annexure P-9**.

10.5 That, the Hon'ble Court may kindly be pleased to grant any other relief, as if may deem fit and appropriate.

10.6 Cost of the petitions awarded and security deposit be ordered to be refunded.”

2. Heard the learned counsel appearing for both the sides.
3. Considering the nature of relief sought for, we are of the view that since the public hearing is already over on 27.09.2019, nothing remains to be considered.

4. In the said circumstances, we close this matter without prejudice to the rights and liberties of the Petitioner to raise other grievances, if at all any, by way of appropriate proceedings in accordance with law.
5. In view of the turn of events and considering the submission made by the learned counsel for the Petitioner, we find it appropriate to cause the security deposit to be returned to the Petitioner.
6. The writ petition is disposed off with the above observation.

Sd/-

(P.R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge