

\$~54

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

+ W.P.(C) 211/2020

M/S CORAL BELLS(A UNIT OF SHRI KRISHNA HOSPITALITY)

..... Petitioner

Through: Mr.Rahul Kumar, Adv.

versus

DELHI POLLUTION CONTROL COMMITTEE Respondent

Through: Mr.B.Mahapatra and Mr.Sumit
Mishra, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **10.01.2020**

CM No.664/2020 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 211/2020 & CM No.663/2020 (Stay)

1. The petition challenges the orders dated 16.09.2019 and 12.12.2019, passed by the respondent levying Environmental Compensation of Rs. 5,40,000/- and Rs.16,87,500/- respectively on the petitioner.
2. Learned counsel for the petitioner submits that the Impugned Orders have been passed without issuing any Show Cause Notice to the petitioner or granting an opportunity of hearing to the petitioner. This is not disputed by the learned counsel for the respondent.
3. In view of the submissions, the Impugned Orders, insofar as they levy Environmental Compensation of Rs. 5,40,000/- and Rs.16,87,500/-on the petitioner, are set aside. The respondent shall consider the contents of the

present petition as a representation to the respondent against levy of Environmental Compensation and decide the same after granting an opportunity of hearing to the petitioner and pass a speaking order(s) thereon. Such order(s), if adverse to the petitioner, shall not be implemented for a period of two weeks for the petitioner to avail its legal remedy against the same.

4. The present petition is disposed of with the above direction. There shall be no order as to cost.

Dasti.

NAVIN CHAWLA, J

JANUARY 10, 2020/Arya