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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 456/2020**  
**M/S NATIONAL INFRA INDUSTRIES LIMITED**

..... Petitioner

Through: Mr.Sudhanshu Batra, Sr. Adv. with  
Mr.Ashish Gautam & Mr.Aditya  
Mishra, Advs.

versus

**DELHI POLLUTION CONTROL COMMITTEE**

..... Respondent

Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

% **14.01.2020**

**CM No. 1255/2020 (Exemption)**

Allowed, subject to all just exceptions.

**WP(C) 456/2020 & CM 1254/2020**

1. The petition challenges the order dated 12.07.2019, passed by the respondent no.2 insofar as it levies Environmental Compensation of Rs.1,28,25,000/- on the petitioner.
2. Learned counsel for the petitioner submits that the Impugned Order has 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 nos.1 and 2.
3. In view of the submissions, the Impugned Order, insofar as it levies Environmental Compensation of Rs.1,28,25,000/- on the petitioner and any consequential order demanding such payment, are set aside. The respondent

no.2 shall consider the contents of the present petition as a representation to the respondent no.2 against levy of Environmental Compensation and decide the same after granting an opportunity of hearing to the petitioner and pass a speaking order thereon. Such order, if adverse to the petitioner, shall not be implemented for a period of two weeks for the petitioner to avail his 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 14, 2020/rv**