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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 658/2020 & CM Nos. 1854/2020 & 1855/2020
M/S PLATINUM (CARE FOOD AND HOAPITALITY)

..... Petitioner
Through: Mr.Rahul Kumar & Mr.Shrey
Vardhan, Advs.

versus

DELHI POLLUTION CONTROL COMMITTEE

..... Respondent
Through: Mr.Biraja Mahapatra & Mr.Sumit
Mishra, Advs. for DPCC.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **17.01.2020**

1. The petition challenges the order dated 16.09.2019 and subsequently modified directions dated 12.12.2019, passed by the respondent, levying Environmental Compensation of Rs. 42,00,000/- in addition to Rs. 2,00,000/- 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. 42,00,000/- in addition to Rs. 2,00,000/- 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 thereon. Such order, 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 17, 2020/rv