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

+ W.P.(C) 709/2020

RISHABH JAIN

..... Petitioner

Through: Mr.Kabir S.Ghose, Adv.

versus

THE STATE OF NCT OF DELHI AND ORS. Respondents

Through: Mr.Mohit Agarwal, Adv. for R-1 & 3.
Mr.Kush Sharma, Ms.Asiya Khan and
Mr.Nishchaya, Adv. for R-2.
Mr.Rahul Gupta, Adv for R-4.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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20.01.2020

CM 2033/2020

Exemption allowed, subject to all just exceptions.

WP(C) 709/2020 & CM 2034/2020

1. The petition challenges the orders dated 16.10.2019 and 25.10.2019, passed by the respondent no.2, *inter-alia* directing the closure of the Unit of the petitioner as also levying Environmental Compensation of Rs.13,12,500/- 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 no. 2.
3. In view of the submissions, the Impugned Order, insofar as it levies Environmental Compensation of Rs.13,12,500/- on the petitioner, is 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 20, 2020/Arya