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

+ **W.P.(C) 1091/2020**

M/S MAHAJAN TRADERS PROPRIETORSHIP FIRM

..... Petitioner

Through Mr.Amit Chadha, Mr.Atin Chadha,
Mrs.Munisha Chadha, Mr.Rituparan
Uniyal and Mr.Aditya Upadhyay,
Advs.

versus

GOVERNMENT OF N.C.T. OF DELHI AND ANR. Respondents

Through Ms.Barnali Basak and Ms.Smeeksha
Pandey, Advs. for R-1.
Mr.Kush Shama, Ms.Shantika Garg
and Mr.Sahil Kalia, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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29.01.2020

CM No.3633/2020 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 1091/2020 & CM No.3632/2020 (Stay)

1. The petition challenges the order dated 14.06.2019 passed by the respondent no.2, *inter-alia* directing the petitioner to deposit Environmental Compensation of Rs.10,00,000/-.
2. The 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.10,00,000/- 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 its legal remedy against the same.

4. The petition is disposed of with the above directions.

Dasti.

NAVIN CHAWLA, J

JANUARY 29, 2020/Arya