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

+ W.P.(C) 1721/2020

PARVESH JAIN

..... Petitioner

Through

Mr.Ajay Jain and Mr.Shekhar Raj
Sharma, Advs.

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Through

Mr.A.K. Pandey, Mr.L.N.P.Singh,
Advs. for R-1 & 2.
Mr.Atul Verma, Adv. for Mr.Sanjay
Ralli, Adv. for DPCC.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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18.02.2020

CM No.5948/2020 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 1721/2020 & CM No.5949/2020 (Stay)

1. This petition has been filed by the petitioner challenging the order dated 08.07.2019 passed by the respondent no.3, ordering sealing of the premises of the petitioner and further imposing Environmental Damage Compensation of a sum of Rs.20,92,500/- for the period 29.09.2018 to 05.08.2019.
2. The petitioner further challenges the order for issuing the warrants of attachment against the property of the petitioner issued by the respondent no.2 for recovering the said amount.

3. It is not denied that before issuance of the Impugned Notice/Demand, the respondent no.3 had not issued any Show Cause Notice to the petitioner. The petitioner claims to have made the representation against the Impugned Demand/Notice and submits that the same has not been considered by the respondent no.3.

4. In view of the above, the present petition is disposed of directing the respondent no.3 to consider the contents of the present petition as a representation of the petitioner and dispose of the same by way of a Speaking Order, after granting an opportunity of hearing to the petitioner, within a period of two weeks from today.

5. In case the order passed by the respondent no.3 is adverse to the interest of the petitioner, it shall always be open to the petitioner to challenge the same in accordance with the law.

6. In the meantime, no coercive steps shall be taken against the petitioner for seeking Environmental Damage Compensation levied by way of Impugned Notice/Demand.

Dasti.

NAVIN CHAWLA, J

FEBRUARY 18, 2020/Arya