

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.35776 Of 2021
(Through hybrid mode)**

M/S Bajrangabali Womens Self Help Group and another ***Petitioners***

Ms. D.Mohapatra, Advocate

-versus-

State of Odisha and Others ***Opposite Parties***

Mr. A.K.Sharma, AGA

Mr. B.P.Das, Advocate
for O.P.5(Board)

CORAM: JUSTICE ARINDAM SINHA

**ORDER
22 .02.2022**

**Order No.
04.**

1. Ms. Mohapatra, learned advocate, appears on behalf of petitioner and submits, her client is a self help group. Prayer in the writ petition is for quashing O.A. no.38 of 2021/EZ, pending before the National Green Tribunal (NGT) and orders under annexures-7 to 9. She submits, inspection was conducted by the Pollution Control Board (PCB) in excess of direction made by the Tribunal. She submits, her clients be given opportunity to appear before the Tribunal and state their contention regarding the inspection and penalty/compensation contemplated to be imposed on her client.

2. Mr. B.P.Dash, learned advocate appears on behalf of opposite party no.5 (PCB) and draws attention to his client's counter. He submits, the OA case was disposed of on order dated 26th October, 2021. It was passed exparte against petitioner.
3. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State.
4. It appears from said order dated 26th October, 2021, passed by the NGT, petitioner was respondent no.11 and in paragraph 2 the Tribunal said, learned Additional Standing Counsel had represented it. Mr. Das submits, petitioner was respondent no.12 and went unrepresented as did not appear.
5. There appears to be error on face of the order. It is set aside and the original application is restored. Petitioner is also directed to produce this order before the tribunal and file its objection by 8th March, 2022. The tribunal may, thereafter, issue further directions or proceed to deal with the OA.
6. The writ petition is disposed of.

(Arindam Sinha)
Judge

Prasant