

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

113

2024.PHHC:152880-DB



CWP-28685-2024

Date of decision: 21.11.2024

MUNICIPAL COUNCIL, GURUGRAM

..Petitioner

Versus

HARYANA STATE POLLUTION CONTROL BOARD & ANR.

..Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Piyush Bansal, Advocate
for the petitioner.

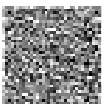
Mr. Deepak Balyan, Addl. A.G., Haryana.

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SHEEL NAGU, C.J. (Oral)

1. The present petition filed by Municipal Council, Gurugram, assails Annexure P-14, which is an order passed by Haryana State Pollution Control Board imposing environment compensation to the tune of Rs.1,02,65,625/- on the petitioner for having caused delay in disposal of construction and demolition waste material at Dispensary site of Malibu Town, Sohna Road, Gurugram.

2. Learned counsel for the petitioner-Municipal Council does not dispute that the National Green Tribunal (in short 'Tribunal') is seized of the same matter where an order was passed on 28.03.2023, imposing the said environment compensation upon the petitioner, pursuant to which a show cause notice was issued on 31.05.2023, vide Annexure P-11, to which, reply



was submitted by the petitioner and thereafter, the same was culminated into passing of impugned order.

3. The petitioner instead of challenging the original order of the Tribunal under Section 22 of the National Green Tribunal Act, 2010, is merely challenging the consequential order of the Haryana State Pollution Control Board.

4. In view of the fact that petitioner has an alternative statutory remedy available to be availed, this Court declines interference on merits.

5. Accordingly, without commenting upon merits of the case, the present petition is disposed of with liberty to the petitioner to avail the statutory remedy available in accordance with law.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

November 21st, 2024
Ayub

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No