



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

CWP-4655-2025

Date of decision : 19.02.2025

Ram Murti and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. A.P. Kaushal, Advocate, and
Mr. Prikshit Thakur, Advocate,
for the petitioners.

Mr. Salil Sabhlok, Senior DAG, Punjab.

Ms. Harpriya Khaneka, Advocate,
for respondent No.9 – PPCB.

SHEEL NAGU, CHIEF JUSTICE

1. The present petition has been filed assailing the letter/notice dated 31.01.2025 (Annexure P-15) issued by Tehsildar, Ludhiana (East), pursuant to order dated 15.04.2021 (Annexure P-3) passed by the National Green Tribunal (in short, 'NGT') in O.A. No. 465/2019 imposing environmental compensation upon the petitioners. The impugned letter/notice, thus, seeks to recover the said environmental compensation by way of auction of properties of the petitioners.

2. Learned counsel for the petitioners, by referring to order dated 04.02.2025 (Annexure P-13), submits that miscellaneous application, i.e. M.A.



No. 08/2025, moved in aforesaid O.A. No. 465/2019 seeking interim relief and re-calling of order dated 15.04.2021, is pending consideration before the NGT.

3. However, grievance of the petitioners herein is that the NGT, while passing the order dated 04.02.2025 (Annexure P-13), has not considered the prayer for interim relief and has listed the matter on 03.03.2025. As such, it is contended that the cause for claiming interim relief has become infructuous.

4. The National Green Tribunal Act, 2010 (in short, 'the Act') is a complete Code, providing for various Forums, right from the competent authority/appellate authority, NGT, upto the Apex Court, where any award, decision or order passed by the NGT is appealable before the Apex Court within 90 days.

5. The petitioners have not availed the said remedy available under Section 22 of the Act.

6. Learned counsel for the petitioners has relied upon a decision of the Apex Court rendered on 18.05.2022 in **Madhya Pradesh High Court Advocates Bar Association and another Vs. Union of India and another**, reported in **2022 SCC Online SC 639**, to emphasis the point that power of judicial review under Articles 226 and 227 of the Constitution of India is always available and can be availed by an aggrieved person depending upon facts and circumstances of the case.

7. This Court has no manner of doubt about the law laid down by the Apex Court in **Madhya Pradesh High Court Advocates Bar Association's case** (supra), but considering the fact that specialized Tribunal has been constituted and statutory remedy has been provided under Section 22 of the



Act against order of NGT and the petitioners are free to avail the same, this Court is not inclined to entertain this petition.

8. The other contention raised herein is that the petitioners are persons of meager means.

9. This Court is afraid that the ground of an aggrieved person being of meager means cannot be successfully raised, especially in the face of the provisions of legal aid available even before the Apex Court.

10. Accordingly, this Court declines interference and disposes of this petition with liberty to the petitioners to avail the statutory remedy available under Section 22 of the Act.

(SHEEL NAGU)
CHIEF JUSTICE

(H.S. GREWAL)
JUDGE

February 19, 2025
narotam

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No