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

+ LPA 108/2014 & C.M.No.2168/2014 (stay)

EPSILON PROJECTS PVT LTD Appellant

Versus

MINISTRY OF ENVIRONMENT
AND FOREST & ORS

..... Respondents

+ LPA 110/2014 & C.M.No.2175/2014 (stay)

MIN MEC CONSULTANCY PVT LTD Appellant

Versus

MINISTRY OF ENVIRONMENT
AND FOREST & ORS

..... Respondents

Present:- Ms.Ruchi Kohli, Adv. with Mr.Yash Mishra, Advs. for
the appellants.
Mr.Rajeeve Mehra, ASG with Mr.Sachin Datta,
Mr.Kartik, Advs. for UOI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

03.02.2014

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C.M.No.2170/2014 (exemptions)in LPA 108/2014

C.M.No.2176/2014 (exemptions)in LPA 110/2014

Exemptions allowed subject to all just exceptions.

LPA No.108/2014 & C.M.No.2169/2014 (delay in filing)

LPA No.110/2014

Issue notice. Learned counsel for the respondents No.1&2 accepts
notice. Notice be also issued to remaining respondents No.2 to 5.

LPA's 108/2014 & 110/2014

page 1 of 2.

Attested True Copy
Apta
9/2/14
Court Master
High Court of Delhi
New Delhi

List this matter on 14th March, 2014. In the facts obtaining, we are of
the considered view that till the filing of the reply, on reasons of parity and
comity of courts and uniformity in dealing with identical cases, the appellant
shall also be allowed to prepare and present Environment Impact
Assessment (EIA) report to the Central and State Government
Environmental Appraisal Committees till 14th March, 2014

Dasti under signature of the Court Master.

Sd/-
CHIEF JUSTICE

FEBRUARY 03, 2014
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Sd/-
RAJIV SAHAI ENDLAW, J

Attested True Copy
Apta
9/2/14
Court Master
High Court of Delhi
New Delhi

LPA's 108/2014 & 110/2014

page 2 of 2.

Subsequently the hearings at High Court of Delhi have been held on the following dates with the contents of the orders as follows:

Date	Content of order
14.03.2014	The Hon'ble Division bench could not assemble today. Renotify on 13.05.2014
13.05.2014	Re-notify for 14.08.2014,. Interim order to continue
14.08.2014	An adjournment slip is moved by the learned counsel for the appellant. Renotify on 13.11.2014.
13.11.2014	It is represented by the learned counsel for both the parties that transfer writ petitions are moved before the the Supreme Court of India for the transfer of several cases pending before different High Courts in which an identical issue is raised. Hence, we deem it appropriate to adjourn the hearing. Re-notify on 06.02.2015. Interim orders to continue.
06.02.2015	It is represented that on 16.01.2015 notice has been ordered in the Transfer Petitions by the Supreme Court. Re-notify on 25.05.2015. Interim orders to continue.
25.05.2015	It is brought to our notice that the Transfer Petition before the Supreme Court of India stands posted to 11.08.2015. Hence, call on 04.09.2015
04.09.2015	Renotify on 01.12.2015
01.12.2015	On joint request, call on 23.02.2016
23.02.2016	It is brought to our notice that the Transfer Petition(s) (Civil) Nos. 1682-1722/2014 are still pending before the Hon'ble Supreme Court of India. List on 11 th July 2016
11.07.2016	It is stated that the Transfer Petition(s) (Civil) Nos. 1682-1722/2014 before Supreme Court are still pending. Re-notify on 26.09.2016
26.09.2016	It is brought to our notice that the Transfer Petition(s) (Civil) Nos. 1682-1722/2014 are still pending before the Hon'ble Supreme Court of India. List on 20.01.2017
20.01.2017	Since the proceedings before the Supreme Court are still pending, renotify on 04.07.2017.
04.07.2017	Proceedings before the Supreme Court are still pending. Renotify on 04.12.2017.
04.12.2017	Learned counsel or the appellant states that transfer petition is still pending consideration before the Supreme Court and its is listed today before the Registrar for completion of pleadings. List on 18 th July, 2018 in the category of "directions" for reporting the orders passed by the Supreme Court. In the event, the petition before the Supreme Court is decided before the next date, a copy of the order shall be placed on record
18.07.2018	1. Hon'ble Division Bench has not assembled today as Hon'ble Ms. Justice Hima Kohli is busy attending workshop "Environmental Adjudication for the Green Bench Judges of Bhutan" to be held in Thimpu, Bhutan. 2. List on 14.11.2018
14.11.2018	Learned counsel for the appellants seeks an adjournment . At request, adjourned to 29.04.2019

The copies of the above orders can be retrieved from delhihighcourt.nic.in by typing the case no. LPA 23 of 2014.

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

+ W.P.(C) 3665/2016

MRS. RANI GUPTA & ANR

..... Petitioners

Through Mr. Yash Mishra with Ms.Ruchi
Kohli, Ms.Srishty Kohli and
Ms.Nidhi Jaswal, Advocates.

versus

MINISTRY OF ENVIRONMENT FOREST AND CLIMATE
CHANGE & ANR

..... Respondents

Through Mr.Sanjay Jain, ASG and Mr.Rajesh
Gogna, CGSC with Mr.Tushar Sannu,
Mr.Sumit Misra, Ms.Shreya Sinha
and Mr.Shreshth Jain, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% 03.05.2016

C.M.No.15700/2016

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) No.3665/2016 & C.M.No.15699/2016

Present writ petition has been filed challenging Notification dated 3rd March, 2016 whereby an amendment has been made to the Environmental Impact Assessment Notification, 2006 stating that the Environmental Consultant Organisations which are accredited for a particular sector and category of project for that project with the Quality Council of India (QCI) or National Accreditation Board for Education and Training (NABET) or any other agency which may be notified by the Ministry of Environment Forest and Climate Change shall be allowed to prepare the Environmental Impact Assessment

(EIA) report and Environmental Management Plan (EMP) of a project in that sector and to appear before the State or Central Expert Appraisal Committee.

Learned counsel for the petitioners states that the NABET had issued a scheme for accreditation of EIA Consultants organisations in January, 2010 and the respondent No.1 issued Office Memorandums dated 2nd December, 2009 and 18th March, 2010 stating that no final EIA or EMP prepared by non-accredited consultant would be entertained after 1st July, 2010.

He further states that petitioner No.1 submitted an application for accreditation in January, 2010. However, the same was rejected vide minutes of meeting dated 10th January, 2011 and petitioner No.1 challenged the said decision by virtue of a writ petition being W.P.(C) 7034/2012. However, the said writ petition was dismissed. The petitioner then preferred LPAs being LPA Nos.23/2014 and 110/2014, wherein the petitioners were allowed to prepare and present the Environmental Impact Assessment report to the Central and State Government Expert Appraisal Committee.

Learned counsel for the petitioners submits that the impugned notification dated 3rd March, 2016 is not only contrary to the aforesaid Division Order but also violative of Section 23 of the Environment Protection Act, 1986.

Issue notice.

Mr.Rajesh Gogna, CGSC accepts notice on behalf of the respondents. He prays for and is permitted to file a counter-affidavit within a period of four weeks. Rejoinder-affidavit, if any, be filed before the next date of hearing.

List on 12th August, 2016.

In the meantime, till the Division Bench varies, vacates or modifies the interim orders dated 17th January, 2014 and 3rd February, 2014 passed in LPA Nos.23 of 2014 and 110 of 2014, the petitioners are allowed to prepare and present Environmental Impact Assessment report to the Central and State Government Expert Appraisal Committee.

Order *dasti*.

MAY 03, 2016
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MANMOHAN, J

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 3665/2016

MRS. RANI GUPTA & ANR Petitioners

Through: Mr Yash Mishra and Ms Srishty Kaul,
Advocates.

versus

MINISTRY OF ENVIRONMENT FOREST AND CLIMATE
CHANGE & ANR Respondents

Through: Mr Rajesh Gogna, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% 12.08.2016

W.P.(C) 3665/2016 & CM No.15699/2016(stay)

The counter-affidavits have not been filed. The respondents shall file their counter-affidavits within a period of four weeks. Rejoinders thereto, if any, be filed within four weeks thereafter.

Renotify on 14th March, 2017.

SANJEEV SACHDEVA, J

AUGUST 12, 2016

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Subsequently the hearings at High Court of Delhi have been held on the following dates with the contents of the orders as follows:

Date	Content of order
14.03.2017	Hon'ble Judge was on leave. Renotified on 21.08.2017
21.08.2017	The learned counsel for the petitioner seeks some time to file a rejoinder. Let the same be filed within a period of four weeks from today. List on 23.03.2018. Interim order to continue
23.03.2018	1. There is no representation on behalf of the parties. Adverse orders are deferred. 2. Renotify the matter on 25.09.2018
25.09.2018	It is already 5.00 p.m. The petition cannot be taken up today due to paucity of time. List on 17.04.2019. Interim order to continue.