

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO(S). 9575 OF 2019

SHREE JAGDAMBE PAPER MILLS LTD.

Appellant(s)

VERSUS

SUNIL KUMAR MIDHA & ORS.

Respondent(s)

O R D E R

1. The present Civil Appeal arises out of the judgment and order dated 02.08.2019 passed by the National Green Tribunal (for short, 'the NGT'), Principal Bench in Original Application No. 888 of 2018.

2. The short facts are that on a complaint made as regards environmental pollution by respondent no. 1, the NGT directed the Haryana State Pollution Control Board (for short, 'the Board') to inquire into the matter and report. A Joint Inspection Report dated 11.05.2019 was filed before the NGT and on that basis Pollution Control Board issued a show cause notice to the appellant. Even second inspection was conducted by the Pollution Control Board on 11.07.2019. On the basis of the report dated 31.07.2019 submitted by the Pollution Control Board, the NGT proceeded to pass the order impugned before us. It is pertinent to mention that the appellant was not even a party before the NGT. Without either making the

appellant a party, much less affording them an opportunity to represent their case, the NGT proceeded to allow the appeal and imposed compensation of Rs. 12,40,000/- (Rupees Twelve Lakhs Forty Thousand).

3. We are of the opinion that the NGT could not have passed such an order without affording them an opportunity of hearing. In similar circumstances, we would have set aside the order and remanded the matter for reconsideration by giving them an opportunity to the affected party, but, in view of the fact that the appellant-Company has closed down as indicated by Mr. A.R. Takkar, learned senior counsel appearing for the appellant which fact is not objected to by the respondent(s), no purpose will be served in remanding the matter.

4. In this view of the matter, we set aside the judgment and order dated 02.08.2019 passed by the NGT in Original Application No. 888 of 2018. The Civil Appeal is accordingly disposed of. No order as to costs.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
JULY 23, 2026

ITEM NO.107

COURT NO.4

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 9575/2019

SHREE JAGDAMBE PAPER MILLS LTD.

Appellant(s)

VERSUS

SUNIL KUMAR MIDHA & ORS.

Respondent(s)

IA No. 190367/2019 - EXEMPTION FROM FILING O.T.

IA No. 76246/2026 - FORMAL DISPOSAL

IA No. 90317/2021 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 195217/2019 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 193142/2019 - PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS

IA No. 190366/2019 - STAY APPLICATION

Date : 23-07-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Appellant(s) : Mr. A.R. Takkar, Sr. Adv.
Mr. A. Venayagam Balan, AOR
Mr. Manan Takkar, Adv.
Ms. Shriya Takkar, Adv.
Mrs. Santhanalakshmi, Adv.

For Respondent(s) : Ms. Nidhi, AOR

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. Rahul Khurana, Adv.
Mr. Samar Vijay Singh, AOR
Mr. Nikunj Gupta, Adv.
Ms. Sabarni Som, Adv.
Mr. Sarthak Arya, Adv.
Mr. Aman Dev Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The Civil Appeal is disposed of in terms of the Signed Order.

2. Pending application(s), if any, shall stand disposed of.

(KAPIL TANDON)

COURT MASTER (SH)

(NIDHI WASON)

ASSTT. REGISTRAR(NSH)

(Signed Order is placed on the file)