

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No.43932/2026

[Arising out of impugned final judgment and order dated 25-02-2026 in AN No.329/2025 passed by the National Green Tribunal, Western Zone, Pune]

M/S ACER GRANITO PVT. LTD.

Petitioner

VERSUS

GUJARAT POLLUTION CONTROL BOARD

Respondent

I.A. No.297036/2026-CONDONATION OF DELAY IN FILING

I.A. No.297040/2026-CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS

I.A. No.297035/2026-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

I.A. No.297032/2026-STAY APPLICATION

Date : 12-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SHEEL NAGU

For Petitioner(s) : Mr. Shyam Divan, Sr. Adv.
Mr. Bimal Roy Jad, Sr. Adv.
Ms. Riddhi Jad, Adv.
Ms. Harshita Choubey, AOR
Mr. Udhav Mittal, Adv.

For Respondent(s) :

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

1. Delay condoned.
2. Issue requiring consideration is whether the appellant, during the relevant period, operated a coal gasifier. It asserts it did not. However, in the order

Signature Not Verified
Digitally signed by
MANIK KUMAR
Date: 2026.10.13
13:22:41 IST
Reason:

Impugned, the National Green Tribunal¹, Western Zone, Pune has returned a finding against the appellant.

¹ NGT

3. Mr. Divan, learned senior counsel for the appellant has invited our attention to the documents forming part of the paper book. It appears that the finding recorded by the Gujarat Pollution Control Board² in paragraph 3 of its order dated 01st May, 2025 (page 500) is *prima facie* contrary to the finding in the inspection report dated 11th June, 2018 (page 592) that such gasifier was not in operation.

4. Issue notice.

5. The order of the NGT requiring the appellant to pay Rs.5,68,948/- as environmental compensation to the GPCB is stayed till the next date of hearing.

(RASHMI DHYANI PANT)
ASST. REGISTRAR-CUM-PS

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

² GPCB