

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL BENCH
SOUTHERN ZONE, CHENNAI**

Execution Application No.10 of 2023 (SZ)

IN

Original Application No.222 of 2014 (PB)

IN THE MATTER OF:-

The Forward Foundation and Ors.

... **Applicant(s)**

Vs.

1. **State of Karnataka**
2. **Ministry of Environment and Forests Regional Office (SZ)**
3. **State Level Environment Impact Assessment Authority**
4. **Karnataka State Pollution Control Board**
5. **Bangalore Water Supply and Sewerage Board**
6. **Lake Development Authority**
7. **Karnataka Industrial Areas Development Board**
8. **Bangalore Development Authority**
9. **Mantri Techzone Private Limited**
10. **Core Mind Software and Services Private Limited**

... **Respondent(s)**

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Date: 15th January 2025
Place: Chennai

CHANDRAMOULI PRABHAKAR

M/s. PC Law Chambers

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Email: chandramouli@pclawchambers.com

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE,

CHENNAI

Execution Application No. 10 of 2023 (SZ)

In

Original Application No. 222 of 2014 (PB)

The Forward Foundation and Ors

... Applicant(s)

Vs.

State of Karnataka and 9 Ors

... Respondents

MEMO FILED ON BEHALF OF THE 9TH RESPONDENT FOR PLACING ON RECORD THE ORDER(s) PASSED BY THE HON'BLE HIGH COURT OF KARNATAKA, BENGALURU BENCH IN W.P.No. 31168/2024 (GM-POL)

It is most respectfully submitted on behalf of the 9th Respondent is as follows:

1. It is humbly submitted that pursuant to the Status report filed by the 1st Respondent herein, the 9th Respondent, presently known as M/s. Agara Techzone Pvt Ltd (formerly known as M/s. Mantri Techzone Private Limited) being aggrieved by the Order dt

Shandremouk Prabhakar

06.05.2024 had preferred a Writ Petition before the Hon'ble High Court of Karnataka, Bengaluru Bench challenging the following:

- a. Order dated 06.05.2024 passed by the SEIAA and communicated to the 9th Respondent Letter dated 18.05.2024 bearing No. SEIAA 30 CON 2011,
- b. the demand notice bearing No. PCB INFRA OA 222 2014/716 Dated 15.05.2023 issued by the Karnataka State Pollution Control Board (Parisara Bhavan),
- c. Show cause notice bearing No. KSPCB/RSEP-BNG SOUTH/2024-25/300 Dated 27.08.2024 issued by the Karnataka State Pollution Control Board (Parisara Bhavan),
- d. Directing the Karnataka State Pollution Control Board (Parisara Bhavan) to reconsider the Letter dated 25.05.2023 bearing Ref No. MTPL/DD/002/2023-24 issued by the 9th Respondent herein.
- e. Directing the SEIAA to reconsider the Letter dated **15.06.2024** bearing Ref No. MTPL/DD/005/2024-25 for amended EC in accordance with the Judgement passed by the Hon'ble NGT Principal Bench Dated 04.05.2016.

2. It is humbly submitted that the said Writ Petition was filed on 14.11.2024 before the Hon'ble High of Karnataka, Bengaluru Bench which was thereafter numbered as **W.P.No. 31168/2024 (GM-POL)**.

3. It is humbly submitted that on 09.12.2024, the Counsel for Petitioner in the said Writ Petition (9th Respondent herein) had humbly made the following submission before the Hon'ble High of Karnataka and the same is reproduced as follows:

Shandremouk Prabhakar

“Learned Senior Advocate for the Petitioner submits that if the requirement of applying afresh for the amended environment clearance certificate is not to be insisted upon, the petitioner is ready to deposit the amount of Rs. 117.35 crores which was assessed by the National Green Tribunal towards environment compensation.”

4. As submitted and undertaken before the Hon'ble Karnataka High Court, it is humbly submitted that the 9th Respondent is ready and willing to make the payment of environment compensation of Rs. 117.35 crores, which is the subject matter of this present Execution Proceeding insofar as Respondent No. 9 is concerned. The matter has been adjourned before the Hon'ble Karnataka High Court for the Respondents therein (State of Karnataka, SEIAA and KSPCB) to file their Reply.
5. Therefore, it is humbly submitted that as the matter is presently sub-judice before the Hon'ble High court of Karnataka, it is thus humbly prayed that this Hon'ble Tribunal may be pleased to await the outcome of the Writ Petition No. 31168/2024 pending on the file of the Hon'ble High court of Karnataka in the interest of justice.
6. It is submitted that when the said Writ Petition was listed before the Hon'ble Karnataka High Court on 17.12.2024, the Hon'ble Court was pleased to direct that the matter be listed next on the **10th of February 2025**.
7. It is humbly submitted that the Orders dated 22.11.2024, 26.11.2024, 29.11.2024, 09.12.2024 and 17.12.2024 passed by the Hon'ble High court of Karnataka, Bengaluru Bench in WP/31168/2024 have been enclosed along with this Memo.

Shandramouk Rabhakar

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8. Therefore, it is humbly prayed that this Hon'ble Tribunal may be pleased to take this Memo on record and may be pleased to await the Outcome of the WP. No. 31168/2024 pending before the Hon'ble High Court of Karnataka, Bengaluru Bench insofar as the present Respondent No. 9 is concerned and thus render justice.

Dated at Chennai on this the 15th day of January, 2025



COUNSEL FOR RESPONDENT NO. 9

that as Respondent No. 9 is concerned. The matter

has been adjourned before the Hon'ble Karnataka High Court for the Respondents

therein (State of Karnataka, SEIAA and KSPCB) to file their Reply.

Therefore, it is humbly submitted that as the matter is presently sub-judice before the

Hon'ble High Court of Karnataka, it is thus humbly prayed that this Hon'ble Tribunal

may be pleased to await the outcome of the Writ Petition No. 31168/2024 pending on

the file of the Hon'ble High Court of Karnataka in the interest of justice.

It is submitted that when the said Writ Petition was listed before the Hon'ble Karnataka

High Court on 17.12.2024, the Hon'ble Court was pleased to direct that the matter be

listed next on the 10th of February 2025

7. It is humbly submitted that the Orders dated 22.11.2024, 26.11.2024, 29.11.2024,

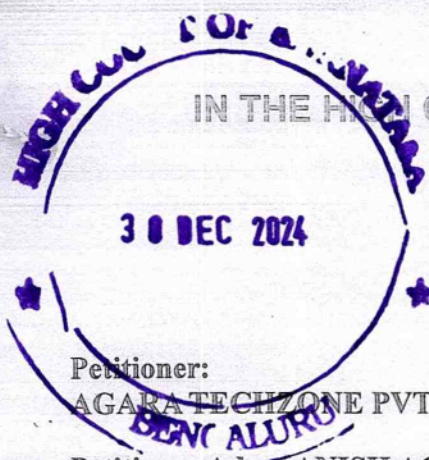
09.12.2024 and 17.12.2024 passed by the Hon'ble High Court of Karnataka, Bengaluru

Bench in WP/31168/2024 have been enclosed along with this Memo



28/3591/24
Anish Acharya

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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

ORDER SHEET PART - I

FR NO-31000 / 2024

WP No-31168 / 2024(GM-POL)


Petitioner:
AGARA TECHZONE PVT LTD

Respondent:
STATE OF KARNATAKA

Petitioner Adv: ANISH ACHARYA

Respondent Adv:

Date of Filing :14/11/2024

Office Notes	Orders of Court
<p>Receipt: Challan No:</p> <p>OFFICE NOTE:</p> <p>WRIT PETITION IS FILED PRAYING TO</p> <p>1. ISSUE A WRIT OF CERTIORARI TO QUASH THE ORDER DATED 06.05.2024 PASSED BY THE 2ND RESPONDENT AND COMMUNICATED TO THE PETITIONER VIDE LETTER DATED 18.05.2024 BEARING No. SEIAA 30 CON 2011 AT ANNEXURE-A</p> <p>2. ISSUE A WRIT OF CERTIORARI TO QUASH THE DEMAND NOTICE BEARING No. PCB INFRA OA 222 2014/716 DATED 15.05.2023 ISSUED BY THE 3RD RESPONDENT AT ANNEXURE-B</p> <p>3. ISSUE A WRIT OF CERTIORARI TO QUASH THE SHOW CAUSE NOTICE BEARING No. KSPCB/RSEP-BNG SOUTH/2024-25/300 DATED 27.08.2024 ISSUED BY THE 3RD RESPONDENT AT ANNEXURE-C</p> <p>4. ISSUE A WRIT OF MANDAMUS DIRECTING THE 3RD RESPONDENT TO RE-CONSIDER THE LETTER DATED 25.05.2023 BEARING REF No. MTPL/DD/002/2023-24 ISSUED BY THE PETITIONER AT ANNEXURE-D</p>	

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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

WP No-31168 / 2024(GM-POL)

5. ISSUE A WRIT OF MANDAMUS DIRECTING THE 2ND RESPONDENT TO RE-CONSIDER THE LETTER DATED 15.06.2024 BEARING REF No. MTPL/DD/005/2024-25 FOR AMENDED EC AT ANNEXURE-E IN ACCORDANCE WITH THE JUDGEMENT PASSED BY THE HONBLE NGT, PRINCIPAL BENCH DATED 04.05.2016

6. ISSUE ANY OTHER WRIT, ORDER OR DIRECTION AND GRANT SUCH OTHER AND FURTHER RELIEFS AS THIS HONBLE COURT DEEMS FIT AND PROPER UNDER THE CIRCUMSTANCES OF THIS CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

INTERIM PRAYER

PENDING DISPOSAL OF THIS WRIT PETITION, THE PETITIONER PRAYS THAT THIS HONBLE COURT MAY BE PLEASED TO STAY THE DEMAND OF Rs. 117.35 CRORES RAISED BY THE 3RD RESPONDENT VIDE DEMAND NOTICE DATED 15.05.2023 AT ANNEXURE-B, AND SHOW CAUSE NOTICE DATED 27.08.2024 AT ANNEXURE-C AND THE LETTER DATED 18.05.2024 ISSUED BY THE 2ND RESPONDENT AT ANNEXURE-A, AND GRANT SUCH OTHER AND FURTHER RELIEFS AS THIS HONBLE COURT DEEMS FIT AND PROPER UNDER THE CIRCUMSTANCES OF THIS CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

THE FOLLOWING OFFICE OBJECTIONS TO BE COMPLIED WITH

1. COURT FEE 100/- TO BE MADE GOOD
2. BLANK IN WP VERIFYING AFFIDAVIT TO BE FILLED
3. WP VERIFYING AFFIDAVIT TO BE SWORN BEFORE COMPETENT AUTHORITIES
4. PARA 3 OF WP AFFIDAVIT TO BE CLARIFIED



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

WP No-31168 / 2024(GM-POL)

5. CERTIFIED COPIES OF ANNEXURES-A, B AND C TO BE PRODUCED
6. ANNEXURES TO BE MARKED BY OATH COMMISSIONER
7. COPY TO GOVERNMENT ADVOCATE TO BE SERVED
8. BETTER/TYPED COPIES OF ANNEXURES-C, M, N, P TO BE PRODUCED
9. COMPLETE COPY OF ANNEXURE-A TO BE PRODUCED
10. TITLES OF ANNEXURES-V1 TO V9 AND Z1 TO Z8 TO BE STATED ON THE CONCERNED DOCUMENTS
11. 2ND SET OF WP PAPERS TO BE FILED SINCE THIS MATTER PERTAINS TO DIVISION BENCH (PAGINATION AND INDEX WILL BE CHECKED AFTER COMPLIANCE OF OFFICE OBJECTIONS)

POST THIS WRIT PETITION FOR ORDERS BEFORE THE REGISTRAR (P AND H)

REG

COMPLIANCE OF OFFICE OBJECTIONS
(11 NOS) (1ST TIME)

VM

22.11.2024

12/11/24

23/11

R
23/11/24

C
23/11



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

ORDER SHEET PART-I (Contd.)

8

R.F.A./R.S.A./M.F.A./M.S.A/W.P./C.R.P./C.P.

of 20

Office Notes

Orders of Court

26/11/24

WP 31168/24

The learned advocate for the petitioner/appellant is present and submits that he/she will comply the office objections during the course of the day.

Perused. Hence, the file is returned to the office for compliance during the course of the day. Office shall verify and place the file before the Hon'ble Court.

If the office objections are not complied by the learned advocate, post the matter before the undersigned within one week from today.



26/11
REGISTRAR (P & H)

v
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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

WP No-31168 / 2024(GM-POL)

VIDE ORDERS OF REGISTRAR (P AND H) DATED 26.11.2024, THE COUNSEL FOR PETITIONER HAS COMPLIED THE OFFICE OBJECTIONS

I.A. No-1/2024 FOR DISPENSATION

I.A. No-1/2024 FILED BY THE ADVOCATE FOR APPELLANT U/S 151 OF CPC PRAYING TO DISPENSE WITH THE PRODUCTION OF THE CERTIFIED COPIES OF ANNEXRE-A, B, C IN THE PRESENT CASE AND GRANT SUCH OTHER AND FURTHER RELIEFS AS THIS HONBLE COURT DEEMS FIT AND PROPER UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE TO MEET THE ENDS OF JUSTICE AND EQUITY.

I.A. No-2/2024 FOR DISPENSATION

I.A. No-2/2024 FILED BY THE ADVOCATE FOR APPELLANT U/S 151 OF CPC PRAYING TO DISPENSE WITH THE PRODUCTION OF THE TYPED COPY/LEGIBLE OF ANNEXURE-C, M, N AND P IN THE PRESENT CASE AND GRANT SUCH OTHER AND FURTHER RELIEFS AS THIS HONBLE COURT DEEMS FIT AND PROPER UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE TO MEET THE ENDS OF JUSTICE AND EQUITY.

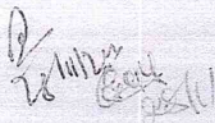

POST THIS WRIT PETITION FOR ORDERS BEFORE REGISTRAR (JUDICIAL)

REG

1. IA No-1/2024 FOR DISPENSATION FOR PRODUCTION OF CERTIFIED COPIES
2. IA No-2/2024 FOR DISPENSATION FOR PRODUCTION OF TYPED COPIES

VM

28.11.2024



R.F.A./R.S.A./M.F.A./M.S.A/W.P./C.R.P./C.P.

of 20

Office Notes

Orders of Court

29.11.2024

ORDERS ON I.A.1 & 2/2024

Perused.

Production of the original/certified copies of Annexures -A, B & C is dispensed with for four weeks with a condition that before the expiry of that period, the requisite document shall be produced, subject to further orders of the Hon'ble Court.

Production of the typed/legible copies of Annexures -C, M, N & P is dispensed with for the present, subject to further orders of the Hon'ble Court.

I.A.1 & 2/2024 are disposed of accordingly.

[Signature]
REGISTRAR (JUDL)



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

WP No-31168 / 2024(GM-POL)

VIDE ORDERS OF REGISTRAR(JUDICIAL) DATED 29.11.2024,

PRODUCTION OF THE ORIGINAL/CERTIFIED COPIES OF ANNEXURES-A, B AND C IS DISPENSED WITH FOR FOUR WEEKS WITH A CONDITION THAT BEFORE THE EXPIRY OF THAT PERIOD, THE REQUISITE DOCUMENT SHALL BE PRODUCED, SUBJECT TO FURTHER ORDERS OF THE HONBLE COURT

PRODUCTION OF THE TYPED /LEGIBLE COPIES OF ANENXURES-C, M, N AND P IS DISPENSED WITH FOR THE PRESENT, SUBJECT TO FURTHER ORDERS OF THE HONBLE COURT

IA 1 AND 2/2024 ARE DISPOSED OF ACCORDINGLY

POST THIS WRIT PETITION FOR PRELIMINARY HEARING BEFORE DIVISION BENCH

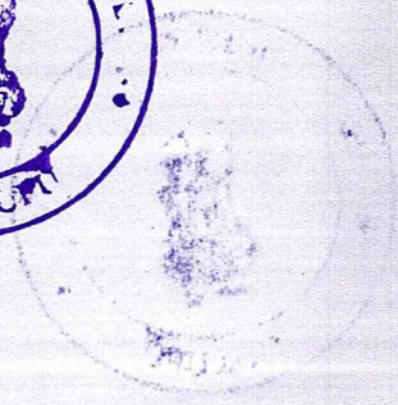
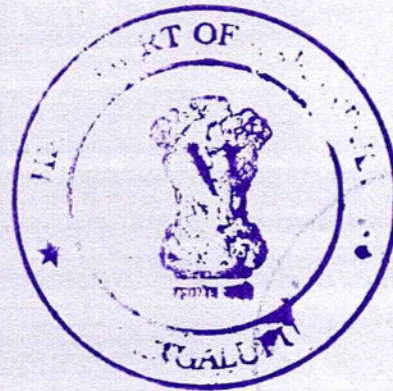
(GOVERNMENT ADVOCATE SERVED)

VM
03.12.2024

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4/12/24

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5/12/24

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5/12/24



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IN THE HIGH COURT OF KARNATAKA AT BENGALURU
[AGARA TECHZONE PVT LTD VS. STATE OF KARNATAKA AND
OTHERS]

09.12.2024

CORAM: HON'BLE THE CHIEF JUSTICE MR. JUSTICE
N. V. ANJARIA
and
HON'BLE MR JUSTICE K. V. ARAVIND

ORAL ORDER

(PER: HON'BLE THE CHIEF JUSTICE
MR. JUSTICE N. V. ANJARIA)

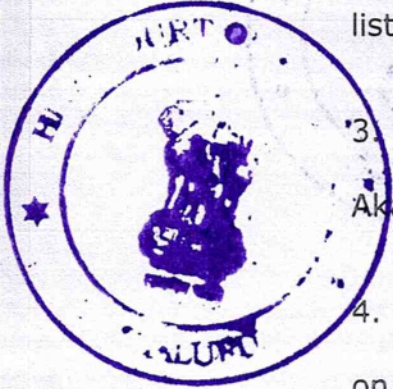
Notice returnable on 17.12.2024.

2. *Prima facie* looking to the compass of the controversy noticed from the submissions made by learned Senior Advocate Mr. M.S. Shyam Sundar for the petitioner, the petition may be listed at 2.30 p.m. on the returnable date.

3. Learned Additional Government Advocate Smt. Niloufer Akabar accepts notice on behalf of respondent No.1-State.

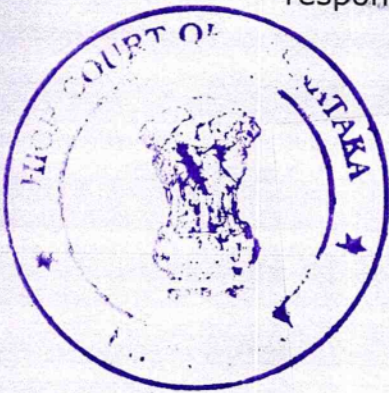
4. Learned advocate Mr. Mahesh Chowdhary accepts notice on behalf of the Karnataka State Pollution Control Board.

learned advocates for respective respondents shall take instructions.



5. Learned Senior Advocate for the petitioner submits that if the requirement of applying afresh for the amended environment clearance certificate is not to be insisted upon, the petitioner is ready to deposit the amount of Rs.117.35 crores which was assessed by the National Green Tribunal towards environment compensation.

A copy of the petition may also be supplied in advance to learned advocate Mr. D. Nagaraj who normally appears for respondent No.2.



Sd/-
CJ

Sd/-
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IN THE HIGH COURT OF KARNATAKA AT BENGALURU
ORDER SHEET PART-I (Contd.)

14

R.F.A./R.S.A./M.F.A./M.S.A/W.P./C.R.P./C.P.

WP of 31168/2024 (Com-Pol) 20

Office Notes	Orders of Court
<p><u>No 9/12/24:-</u></p> <p>Learned AYA, Niloufer Akbar Adv for R1 - State.</p> <p>Learned Adv Sri. Mahesh Choudhary, Adv for KSPCB/RS.</p> <p>Sri. D. Nagaraj, Adv for R2.</p> <p>Adv not filed for having served copies.</p> <p>∴ Post WP before DB for Pray. Hearing on <u>17/12/2024</u> as directed.</p> <p>→ 16/12/24</p>	

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
[AGARA TECHZONE PVT LTD VS. STATE OF KARNATAKA AND
OTHERS]

17.12.2024

CORAM: HON'BLE THE CHIEF JUSTICE MR. JUSTICE
N. V. ANJARIA
and
HON'BLE MR JUSTICE K. V. ARAVIND

ORAL ORDER

(PER: HON'BLE THE CHIEF JUSTICE
MR. JUSTICE N. V. ANJARIA)

Stand over to 10.02.2025.



Sd/-
CJ

Sd/-
JUDGE

TRUE COPY
TRUE COPY
LWG K-31168/24
Section Officer
High Court of Karnataka
Bengaluru-560 001

BKV
List No

- a) The date on which the application was made..... 19/12/24
- b) The date on which charges and addl. charges if any, are made..... 30/12/24
- c) The date on which charges and addl. charges if any are desired..... 31/12/24
- d) The date on which the copy is ready..... 30/12/24
- e) The date of notifying that the copy is ready for delivery..... 30/12/24
- f) The date on which delivered to the applicant..... 4/1/25

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**BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL, SOUTHERN ZONE,
CHENNAI**

E.A No. 10 of 2023 (SZ)

In

O.A No. 222 of 2014 (PB)

The Forward Foundation and Ors

... **Applicant(s)**

Vs.

State of Karnataka and 9 Ors

... **Respondents**

**MEMO FILED ON BEHALF OF THE 9TH
RESPONDENT FOR PLACING ON RECORD
THE ORDER(s) PASSED BY THE HON'BLE
HIGH COURT OF KARNATAK,
BENGALURU BENCH IN W.P.No. 31168/2024
(GM-POL)**

**CHANDRAMOULI PRABHAKAR (MS. 4136/2015)
R. PRITHVIRAJ PANDIAN (MS. 422/2015)
R. VANDHANA PRABHU (MS. 8002/2021)
AAKASH ATHIMOOLAM (MS. 8842/2023)**

Address: M/s. PC Law Chambers, C-2 (2nd Floor), 75/40,
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Alwarpet, Chennai 600 018
Phone: 9940469099 / 9677003795
Email: chandramouli@pclawchambers.com /
prithviraj@pclawchambers.com

COUNSEL FOR 9TH RESPONDENT