

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE,  
REVIEW APPLICTION NO. 09 OF 2023  
IN  
APPEAL NO. 68 OF 2019**

**IN THE MATTER OF:**

M/s Grenesiis Constro Pvt. Ltd.

...Applicant

Versus

Vishal Arinjay Shah & Ors.

...Respondents

**REJOINDER AFFIDAVIT ON BEHALF OF APPLICANT  
TO THE REPLY AFFIDAVIT DATED 21.04.2025  
FILED BY THE RESPONDENT NO. 5/SEIAA**

**PAPERBOOK  
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**ADVOCATE FOR THE APPLICANT  
SANGRAMSINGH R. BHONSLE**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
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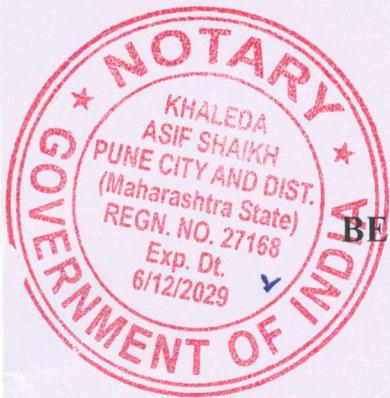
**PLACE: PUNE**

**DATE: 23.04.2025**

**COUNSEL FOR THE APPLICANT**



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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE,  
REVIEW APPLICATION NO. 09 OF 2023**

**IN**

**APPEAL NO. 68 OF 2019**

IN THE MATTER OF:

M/s Grenesiis Constro Pvt. Ltd.

...Applicant

Versus

Vishal Arinjay Shah & Ors.

...Respondents

**REJOINDER AFFIDAVIT ON BEHALF OF  
APPLICANT TO THE REPLY AFFIDAVIT  
DATED 21.04.2025 FILED BY THE  
RESPONDENT NO. 5/SEIAA**

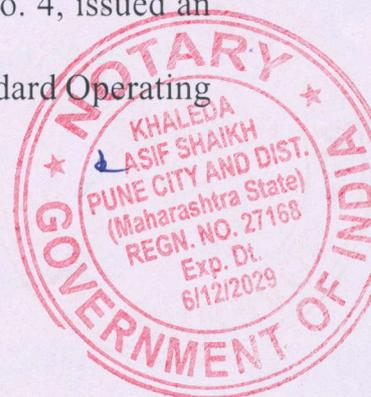
**MOST RESPETFULLY SHOWETH:**

I, Mr. Arinjay Pramod Koragaonkar, Age: Adult, Occ: Business, Having Office at:  
A-501, Thacker House, 2418, East Street, GT Road, Camp, Pune-411 001, do  
solemnly state and affirm as under:

1. That I am the Authorized Representative of the Applicant in the afore-captioned Review Application. I am well conversant with the facts and circumstances of the case and hence, I am competent to swear the present Rejoinder Affidavit.
2. I have thoroughly gone through the Reply Affidavit filed by Respondent No. 5/ SIEAA dated 21.04.2025 and at the outset it is submitted that all the averments,

contentions and grounds raised by the Respondent No. 5 in the Reply Affidavit dated 21.04.2025 are denied and nothing shall be deemed to be admitted unless specifically admitted herein for the sake of non-traverse.

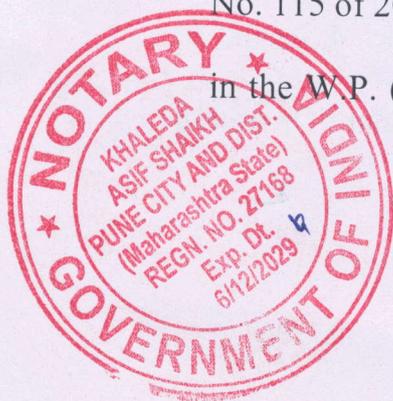
3. The Applicant has preferred the afore-captioned Review Petition u/s 19(4)(f) of the NGT Act, 2010 seeking review of the Impugned Judgment dated 09.08.2023 passed by this Hon'ble Tribunal in Appeal No. 68 of 2019 (WZ). The facts stated and contentions raised in the Review Petition or otherwise already forming a part of the record in the present Review Petition or in the Appeal No. 68 of 2019 (WZ) may be considered as a part and parcel of the present Rejoinder Affidavit as the same are not being repeated herein for the sake of brevity and convenience.
4. Before advertng to the replies filed by the Respondent No. 5, the Applicant states that the Environment Clearance was granted to the Applicant in terms of the Notification dated 14.03.2017 issued by the Respondent No. 4, allowing the Post-Facto Environment Clearance. It is submitted that the validity of the Notification dated 14.03.2017 was considered by the Hon'ble Supreme Court of India in various cases such as *2021 SCC OnLine SC 1247*, *2022 SCC OnLine SC 1278* & *2022 SCC OnLine SC 362*. In the interregnum, the Respondent No. 4, issued an Office Memorandum dated 07.07.2021 thereby prescribing a "Standard Operating



Procedure (SoP) for identification and handling of Violation Cases under EIA Notification 2006 in compliance of the order of Hon'ble National Green Tribunal in O.A. No. 34/2020 WZ-Regarding" and Office Memorandum dated 28.01.2022 regarding "Observation of Hon'ble Supreme Court with reference to the SoP dated 07<sup>th</sup> July 2021" for identification and handling of violation cases under the EIA Notification, 2006- reg.". The said Office Memorandums were challenged before the Hon'ble Supreme Court of India in W.P. (Civil) No. 1394 of 2023. Vide an order dated 02.01.2024 passed by the Hon'ble Supreme Court of India in W.P. (Civil) No. 1394 of 2023, the Office Memorandum dated 07.07.2021 and 28.01.2022 were stayed.

A copy of the Order dated 02.01.2024 passed by the Hon'ble Supreme Court of India in W.P. (Civil) No. 1394 of 2023, is enclosed herewith and marked as **ANNEXURE A-1.**

5. Also, it is submitted that the Notification dated 14.03.2017 i.e. the Notification under which the Applicant has been accorded the Environment Clearance Dated 09.08.2017, is a subject matter of a challenge before the Hon'ble Supreme Court of India in the matter of *One Earth One Life vs Union of India* bearing W.P. (Civil) No. 115 of 2024. The Hon'ble Supreme Court of India was pleased to issue notice in the W.P. (Civil) No. 115 of 2024 and has further tagged the said matter with

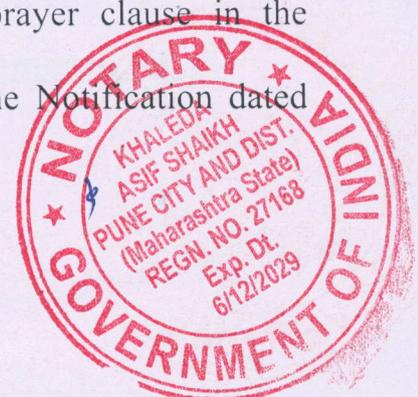


the W.P. (Civil) No. 1394 of 2023. A copy of the Order dated 26.02.2024 passed by the Hon'ble Supreme Court of India in W.P. (Civil) No. 115 of 2024, is enclosed herewith and marked as ANNEXURE A-2.

6. It is submitted that the W.P. (Civil) No. 1394 of 2023 and the W.P. (Civil) No. 115 of 2024 along with other tagged matters were finally heard and the Hon'ble Supreme Court of India vide its order dated 02.04.2025 was pleased to reserve the Judgment. It is therefore submitted that, in terms of judicial propriety, this Hon'ble Tribunal prior to adjudicating the present Review Application, may await the outcome of the Judgment in W.P. (Civil) No. 115 of 2024 reserved by the Hon'ble Supreme Court on 02.04.2025, by which the Notification dated 14.03.2017 is under challenge.

A copy of the Order dated 02.04.2025 passed by the Hon'ble Supreme Court of India in W.P. (Civil) No. 1394 of 2023 and W.P. (Civil) No. 115 of 2024 along with other tagged matters is enclosed herewith and marked as ANNEXURE A-3.

7. It is further submitted that the Advocate appearing on behalf of the Applicant herein contacted the Advocate on Record on behalf of Petitioner in W.P.(Civil) No. 115 of 2024 and requested to communicate the prayer clause in the W.P.(Civil) No. 115 of 2024 in order to establish that the Notification dated



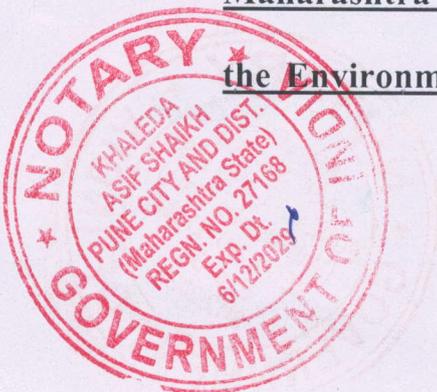
14.03.2017 is a subject matter of the W.P.(Civil) No. 115 of 2024 before the Hon'ble Supreme Court of India. Upon such request, the Advocate on Record on behalf of Petitioner in W.P.(Civil) No. 115 of 2024, vide an email dated 24.04.2025 at 12.04 PM sent a screenshot depicting the prayer clause of the W.P.(Civil) No. 115 of 2024 which demonstrates that the W.P. (Civil) No. 115 of 2024 seeks to quash and set aside the Notification dated 14.03.2017.

A copy of the Email Communication dated 24.04.2025 along with a copy of the screenshot depicting the prayer clause in W.P.(Civil) No. 115 of 2024 pending before the Hon'ble Supreme Court of India is enclosed herewith and marked as **ANNEXURE A-4 (COLLY)**.

8. Before advertng to the Para-Wise Reply to the contentions raised by the Respondent No. 5, the Applicant wishes to make preliminary submissions in support of the present Rejoinder Affidavit.

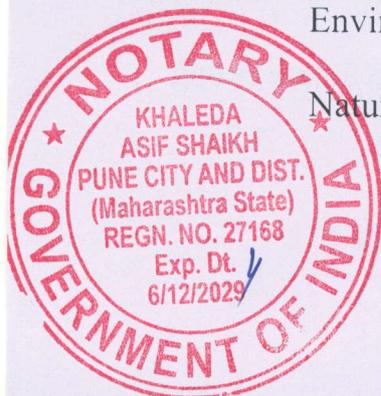
**9. PRELIMINARY SUBMISSIONS**

- A. The Judgment dated 22.08.2022 in O.A. No. 14 of 2021 (WZ) deals with the recommendations pertaining to the functional audit of SEIAA, Maharashtra and does not imply any timeline for the implementation of the Environment Management Plant comprising of a Remediation Plan**



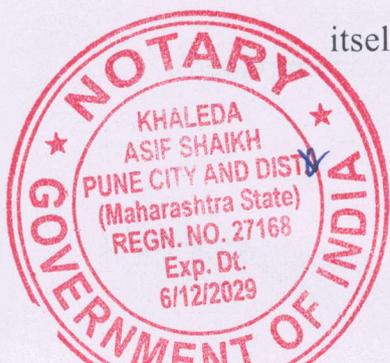
**and Natural and Community Resources Augmentation Plan as contemplated under the Notification dated 14.03.2017:**

- I. The Respondent No. 5 at Para 4 of the Reply Affidavit dated 21.04.2025 has placed its reliance on the functional audit conducted by the Joint Committee comprising of MoEF&CC and CPCB in terms of the directions issued by Special Bench of this Hon'ble Tribunal vide its order dated 08.06.2021 in O.A. No. 14 of 2021 to substantiate that in view of the recommendations being made in the said functional audit, the Respondent No. 5/SEIAA came up with a Standard Operating Procedure (hereinafter '**SoP**') for the effective implementation of EIA Notification, 2006. In terms of the, SoP, the Respondent No. 5/SEIAA started fixing average timeline of months for the implementation of Remediation Plan and the Natural and Community Resource Augmentation Plan.
- II. It is submitted that the recommendations that emerged out of the functional audit conducted by the Joint Committee comprising of MoEF&CC and CPCB, which are reproduced in Final Judgment dated 22.08.2022 passed by this Hon'ble Tribunal in O.A. No. 14 of 2021 does not recommend any time bound action plan for the Project Proponent to execute the Environment Management Plant comprising of a Remediation Plan and Natural and Community Resources Augmentation Plan as contemplated



under the Notification dated 14.03.2017. For some of the Project Proponents which were found to be in violation of not mentioning Damage Assessment Plans, Bank Guarantees were recommended to be imposed. Furthermore, Maharashtra Pollution Control Board was directed to act as a Monitoring Agency and furnish report to SEIAA on the status of Remedial Action Plan on a basis of six months.

- III. The Respondent No. 5 has not enclosed any SoP with the Reply Affidavit dated 21.04.2025 by way of which it had proposed average timeline of months for the implementation of Remediation Plan and the Natural and Community Resource Augmentation Plan. *Arguendo*, even if the Respondent No. 5 would have enclosed the SoP proposing the average timeline for the implementation of Remediation Plan and the Natural and Community Resource Augmentation Plan, the same would not have suffice the arguments raised by the Respondent No. 5 for the simple reason being that the Respondent No. 5 does not have the legislative power like as MoEF&CC to frame any SoP and hence the same is not a law in terms of Art. 13(3)(a) of the Constitution of India.
- IV. It is submitted that when the Notification dated 14.03.2017 issued by MoEF&CC which is a law in terms of Art. 13(3)(a) of Constitution of India, itself does not contemplates a specific time bound action plan for executing



Environment Management Plant comprising of a Remediation Plan and Natural and Community Resources Augmentation Plan as contemplated under the Notification, the act of Respondent No. 5/SEIAA being an adjudicating/quasi-judicial authority of MoEF&CC to fix a time line of months for implementation of Remediation Plan and the Natural and Community Resource Augmentation Plan is completely erroneous and amounts to thwarting the effect of the Notification dated 14.03.2017 itself. Hence, in the absence of powers to the Respondent No. 5/SEIAA deriving its source from a statute, the Respondent No. 5/SEIAA cannot assume legislative powers and frame a time frame for implementation of the Environment Management Plant comprising of a Remediation Plan and Natural and Community Resources Augmentation Plan as contemplated under the Notification dated 14.03.2017 thereby causing great prejudice to the Applicant.

- V. Assuming without admitting, it is submitted that the timelines as alleged to be framed by the Respondent No. 5 as stated in Para 4, on a bare perusal of the reply Affidavit, it is only in 2022 that the Respondent No. 5 realized that there was no time limit for Environment Management Plant comprising of a Remediation Plan and Natural and Community Resources Augmentation Plan as contemplated under the Notification dated



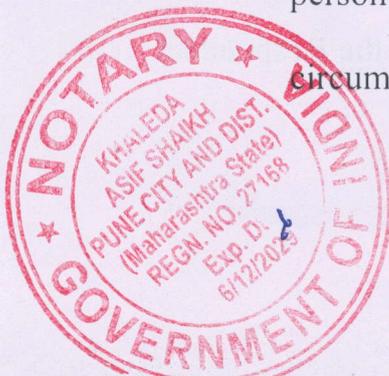
14.03.2017 to be effected and it was only then did the Respondent No. 5 started fixing average timeline for the implementation of the said plans. It is therefore submitted that implementation of the timelines for the said plans was subsequent to the year 2022 and therefore, was prospective in nature. For an EC that was accorded on 09.08.2017, the Respondent No. 5 by their own admission in Para 4 of the said Reply have admitted to the fact that prior to 2022, no timeline was imposed for effecting the Environment Management Plan comprising of a Remediation Plan and Natural and Community Resources Augmentation Plan as contemplated under the Notification dated 14.03.2017.

VI. Also, after passing of the alleged SoP for time bound action for remediation plan, no communication of whatsoever nature was ever made to the applicant being a project proponent regarding any time bound action plan nor the Conditions of the EC dated 09.08.2017 was ever changed or modified by the Respondent No. 5. Without prejudice to the contentions of the Applicant, it is submitted that if at all any such communication is made, the Applicant would follow the same, within the boundaries of the law. In absence of any such communication, an EC granted to the Petitioner cannot be set aside as the same would violate the principles of Natural Justice.



**B. The Review Petition has been filed in pursuance of the statutory remedy as available u/s 19(4)(f) of the National Green Tribunal Act, 2010 read with Rule 22 of NGT (Practices and Procedure) Rule, 2011, on the ground that the Impugned Judgment dated 21.04.2025 suffers from 'error apparent on the face of record' and hence is maintainable.**

- I. The Respondent in its previous Reply Affidavit dated 27.01.2025 had raised objection on the maintainability of the Review Petition stating that the same does not qualify for a Review and the Applicant instead of preferring a review ought to have preferred an Appeal u/s 22 of the NGT Act.
- II. This Hon'ble Tribunal in *2017 SCC OnLine NGT 967* while discussing the scope of Review as exercised by this Hon'ble Tribunal u/s 19(4)(f) of the National Green Tribunal Act, 2010 read with Rule 22 of NGT (Practices and Procedure) Rule, 2011, held that the enabling provisions under Section 19(4)(f) of the NGT Act, 2010 and the NGT (Practices & Procedures) Rules, 2011 do not prescribe the parameters of exercise of such power. Undeniably, therefore, it would be necessary for the Hon'ble Tribunal to invoke the provisions of Sec. 114 and Order 47, Rule 1 of Code of Civil Procedure as a guiding principle. Order 47, Rule 1 CPC allows an aggrieved person to prefer a Review Petition against an Order or Judgment in circumstances when there is a discovery of new and important matter or

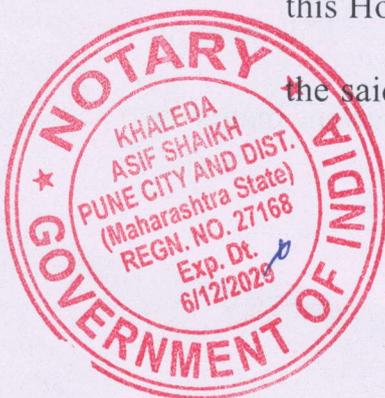


evidence which after the exercise of due diligence was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason.

- III. As the case in hand, the setting aside of EC by the Hon'ble Tribunal vide Impugned Judgment solely placing reliance on Letter dated 30.01.2019 issued by Respondent No. 5 which has no legal sanctity is covered under '*some mistake or error apparent on the face of the record, or for any other sufficient reason*' as held by this Hon'ble Tribunal in **2017 SCC OnLine NGT 967**, the SpPLICant has approached this Hon'ble Tribunal exercising its statutory rights u/s 19(4)(f) of the National Green Tribunal Act, 2010 read with Rule 22 of NGT (Practices and Procedure) Rule, 2011, held that the enabling provisions under Section 19(4)(f) of the NGT Act, 2010 and the NGT (Practices & Procedures) Rules, 2011.

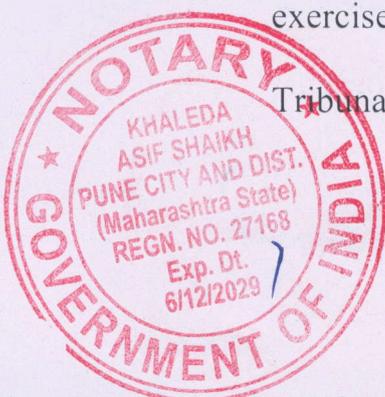
10. **PARA-WISE REPLY:**

- I. Vide Para 1 of the Additional Reply dated 21.04.2025, the Respondent No. 5 seeks to place reliance on the Compilation of Documents placed before this Hon'ble Tribunal on 25.02.2025. It is most respectfully submitted that the said documents were also sought to be relied upon by the Respondent



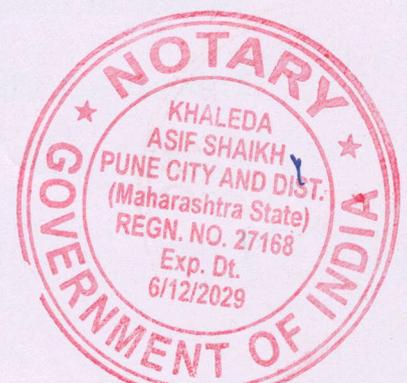
No. 5 during the hearing on 27.02.2025 whereby this Hon'ble Court vide the Order dated 27.02.2025 was pleased to record that the documents were of no significance. In background of such observation, the reliance placed by the Respondent No. 5/SEIAA again on the similar compilation of documents would not survive and such documents cannot be relied upon. It is also submitted that the documents sought to be relied upon are irrelevant and therefore the contents of Para 1 denied.

- II. The Contents of Para 2 and 3 are a matter of record and hence requires no reply at all.
- III. The Contents of Para 4 is totally misconceived and hence denied in totality. The Contents of Para 4 have been replied by the Applicant in detail at Para 9A of the present Affidavit and the Applicant seeks to rely upon the course of the arguments. The contents therein may be considered as part and parcel to the reply to Para 4 of the Additional Reply dated 21.04.2025.
- IV. The Contents of Para 5 are completely misconceived and hence denied. In exercise of Review Powers conferred u/s 19(4)(f) of the National Green Tribunal Act, 2010 read with Rule 22 of NGT (Practices and Procedure)



Rule, 2011, the Hon'ble Tribunal shall only scrutinize that whether the Impugned Judgment suffers with any error apparent or not. In exercise of its Review Powers, this Hon'ble Tribunal may have to fold its hands back to issue any directions which is alien to the Notification dated 14.03.2017. The Notification dated 14.03.2017 only stipulates that while granting Post-Facto EC, Environment Management Plan and Natural and Community Resource Augmentation Plan was to be prepared and the amount of Bank Guarantee was to be deposited, which was to be returned after implementation of the said plans. The executive while exercising their delegated legislative powers under Environmental Protection Act, 1986, in their wisdom did not prescribe any timeline for the implementation of the plans. In such circumstances, it is most humbly submitted that this Hon'ble Tribunal would be exceeding its jurisdiction if any timeline is prescribed. Thus, the contents of Para 5 are against the law of the land and denied.

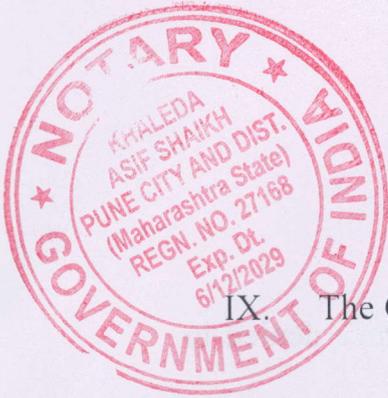
- V. The Contents of Para 6 requires no reply as the same has no bearing on the present case.
- VI. The Contents of Para 7 is nothing but a reiteration of the contents of Impugned Order and thus needs no reply at all.



VII. The Contents of Para 8 is completely misconceived and hence denied in totality. The Applicant has duly obtained the Ex-Post Facto Environment Clearance accorded to the Applicant in terms of Notification dated 14.03.2017 passed by MoEF&CC after furnishing an "Environmental Management Plan: Natural Resource & Community Resource" along with a Bank Guarantee amount of Rs.1.95 crore which has to be released after the effective execution the Remediation Plan and the Natural and Community Resource Augmentation Plan. The Contention of the Respondent No. 5 that the Action of the Applicant is a willful disobedience of the order of the Hon'ble Tribunal is without considering the orders passed by this Hon'ble Tribunal in the present Review Application. This Hon'ble Tribunal while issuing notice in the present case has directed to maintain status quo and to keep the Impugned Judgment in operational. Thus, in terms thereof, the contents of Para 8 are mere allegations and thus denied.

VIII. The Contents of Para 9 are admitted. The SEIAA after following the due procedure has granted Post Facto EC to the Applicant. Thus, the question of setting aside the Impugned EC does not arise at all.





IX. The Contents of Para 10 does not require any reply at all.



*Korgaonkar*  
DEPONENT  
(ARIN JAY KORGAONKAR)

Verification

Verified at PUNE on 24<sup>th</sup> of April, 2025 that the Contents of Present Rejoinder Affidavit is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.



*Korgaonkar*  
DEPONENT  
(ARIN JAY KORGAONKAR)



**BEFORE ME**

*Kshaikh*

**KHALEDA ASIF SHAIKH**  
NOTARY, GOVT. OF INDIA  
PUNE CITY AND DIST. (MAH.)  
REGN. NO. 27168

Noted and Registered  
at Sr. No. 156/25

Date: 24 APR 2025

**24 APR 2025**

ITEM NO.23

COURT NO.3

SECTION PIL-W

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

Writ Petition(s)(Civil) No(s). 1394/2023

VANASHAKTI

Petitioner(s)

VERSUS

UNION OF INDIA  
(FOR ADMISSION  
ORDERS/DIRECTIONS )

and IA

Respondent(s)  
No.257416/2023-APPROPRIATE

Date : 02-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE SANDEEP MEHTAFor Petitioner(s) Mr. Gopal Sankaranarayanan, Sr. Adv.  
Mr. Vanshdeep Dalmia, AOR  
Ms. Anisha Jian, Adv.  
Ms. Tanya Shrivastava, Adv.

For Respondent(s)

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

1. Issue notice returnable in four weeks.
2. Until further orders, there shall be stay of operation of the Office Memoranda dated 7<sup>th</sup> July, 2021 and 28<sup>th</sup> January, 2022 issued by the Ministry of Environment, Forest and Climate Change.

(ASHA SUNDRIYAL)  
ASTT. REGISTRAR-cum-PS(BEENA JOLLY)  
COURT MASTER (NSH)

Signature Not Verified  
Digitally signed by  
ASHA SUNDRIYAL  
Date: 2024.01.05  
16:37:29 IST  
Reason: 



True Copy

**S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS****Writ Petition (Civil) No.115/2024****ONE EARTH ONE LIFE****Petitioner(s)****VERSUS****UNION OF INDIA****Respondent(s)****(With IA No.41957/2024-EXEMPTION FROM FILING O.T.)****Date : 26-02-2024 This petition was called on for hearing today.****CORAM :****HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE MANOJ MISRA****For Petitioner(s) Mr. Sanjay Parikh, Sr. Adv.  
Ms. Srishti Agnihotri, AOR  
Ms. Sanjana Grace Thomas, Adv.  
Ms. A Reyna Shruti, Adv.  
Ms. Tara Elizabeth Kurien, Adv.****For Respondent(s)****UPON hearing the counsel the Court made the following  
O R D E R**

- 1 Issue notice.
- 2 Tag with Writ Petition (C) No 1394 of 2023.

**(CHETAN KUMAR)  
A.R. - cum - P.S.****(BEENA JOLLY)  
COURT MASTER**

Signature Not Verified  
Digitally signed by  
CHETAN KUMAR  
Date: 2024.02.26  
16:47:43 IST  
Reason: 

**True Copy**

ITEM NO.2

COURT NO.4

SECTION PIL-W

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

WRIT PETITION(S) (CIVIL) NO(S).1394/2023

VANASHAKTI

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

[TO BE TAKEN UP ON TOP OF THE CAUSE LIST]

(IA NO.257416/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.13953/2024 - APPLICATION FOR VACATION OF INTERIM ORDER, IA NO.13975/2024 - INTERVENTION/IMPLEADMENT, IA NO.16527/2024 - INTERVENTION APPLICATION, IA NO.21877/2024 - INTERVENTION/IMPLEADMENT, IA NO.21878/2024 - CLARIFICATION/DIRECTION, IA NO.24981/2024 - INTERVENTION/IMPLEADMENT, IA NO.53222/2024 - INTERVENTION/IMPLEADMENT, IA NO.62080/2024 - INTERVENTION APPLICATION, IA NO.65447/2024 - INTERVENTION APPLICATION, IA NO.94024/2024 - INTERVENTION/IMPLEADMENT, IA NO.100111/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.107354/2024 - INTERVENTION/IMPLEADMENT, IA NO.133828/2024 - INTERVENTION/IMPLEADMENT, IA NO.133854/2024 - MODIFICATION OF COURT ORDER, IA NO.134881/2024 - INTERVENTION/IMPLEADMENT, IA NO.134999/2024 - MODIFICATION OF COURT ORDER, IA NO.203664/2024 - INTERVENTION APPLICATION, IA NO.203666/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA NO.203965/2024 - CLARIFICATION/DIRECTION, IA NO.2959/2025 - INTERVENTION/IMPLEADMENT, IA NO.2960/2025 - EXEMPTION FROM FILING O.T., IA NO.2964/2025 - CLARIFICATION/DIRECTION, IA NO.4570/2025 - EXEMPTION FROM FILING O.T., IA NO.21422/2025 - INTERVENTION APPLICATION, IA NO.41559/2025 - INTERVENTION APPLICATION, IA NO.41566/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.44332/2025 - INTERVENTION APPLICATION, IA NO.78423/2025 - INTERVENTION APPLICATION, IA NO.78426/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA NO.79540/2025 - INTERVENTION APPLICATION AND IA NO.80675/2025 - APPROPRIATE ORDERS/DIRECTIONS)

WITH

W.P.(C) No. 118/2019 (PIL-W)

Signature Not Verified  
Digitally signed by  
ASHISH KONDLE  
Date: 2025.04.05  
15:37:27 IST  
Reason: 

W.P.(C) No. 115/2024 (PIL-W)  
(IA No. 41957/2024 - EXEMPTION FROM FILING O.T.)

C.A. No. 381-382/2025 (XII)  
(FOR ADMISSION AND IA NO.47026/2025 - INTERVENTION/IMPLEADMENT AND  
IA NO.47027/2025 - CLARIFICATION/DIRECTION)

W.P.(C) No. 12/2025 (X)  
(FOR ADMISSION AND (IA NO.8064/2025 - APPROPRIATE  
ORDERS/DIRECTIONS, IA NO.8703/2025 - GRANT OF INTERIM RELIEF AND IA  
NO.16457/2025 - INTERVENTION/IMPLEADMENT)

Date : 02-04-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s)	: Mr. Gopal Sankaranarayanan, Sr. Adv. Mr. Vanshdeep Dalmia, AOR
W.P.(C) No.1394/2023	Ms. Anisha Jain, Adv. Ms. Shambhavi Singh, Adv. Ms. Trisha Chandran, Adv.
W.P.(C) No.118/2019	Mr. Dhaval Mehrotra, Adv. Mr. Rahul Garg, Adv. Mr. Abhishek Singh, Adv. Ms. Aditi Desai, Adv. M/S. K Ashar & Co., AOR
W.P.(C) No.115/2024	Mr. Sanjay Parikh, Sr. Adv. Ms. Sanjana Grace Thomas, Adv. Ms. Kritika, Adv. Mr. D.P. Singh, Adv. Ms. Tara Elizabeth Kurien, Adv. Ms. Srishti Agnihotri, AOR
C.A. Nos.381-382/2025	Mr. T.V.S. Raghavendra Sreyas, Adv. Mr. Naveen Hegde, AOR
W.P.(C) No.12/2025	Mr. P.S. Patwalia, Sr. Adv. Mr. Nikhil Goel, Sr. Adv. Mr. Zulfiker Ali P. S, AOR Ms. Lakshmi Sree P., Adv.

Ms. Lebina Baby, Adv.

- For Respondent(s)** : Ms. Aishwariya Bhati, A.S.G.  
Ms. Ruchi Kohli, Sr. Adv.  
Ms. Swarupama Chaturvedi, Sr. Adv.  
Mr. Gurmeet Singh Makker, AOR  
Mr. Ketan Paul, Adv.  
Mr. Rajat Nair, Adv.  
Mr. Kanu Agrawal, Adv.  
Mr. Rohan Gupta, Adv.  
Ms. Sharmishtha Shukla, Adv.  
Mr. Abhinav Aggarwal, Adv.
- For Union of India in W.P.(C) Nos.1394/2023, 118/2019, 115/2024 and C.A. Nos.381-382/2025**
- For Resp.Nos.2 to 4 in W.P.(C) No. 12/2025** Mr. C. K. Sasi, AOR  
Ms. Meena K Poullose, Adv.
- For Resp.No.5 in W.P.(C) No.12/2025** Mr. Naresh Kumar, AOR  
Mr. K. P Rajagopal, Adv.  
Mr. Jaimon Andrews, Adv.  
Mr. Piyo Harold Jaimon, Adv.  
Mr. Harikrishna R, Adv.
- For Applicant(s):**  
[Intervenor(s)/Imp leader(s)]  
IA No.13975/2024 in W.P.(C) Nos.1394/2023 Mr. Vinay Navare, Sr. Adv.  
Mr. Saket Mone, Adv.  
Ms. Anshula Vijay Kumar Grover, AOR  
Mr. Lenpithang Sithlou, Adv.
- IA NO.16527/2024 in W.P.(C) Nos.1394/2023 and IA No.47026/2025 in C.A. Nos. 381-382/2025 Mr. Vanshdeep Dalmia, AOR
- IA No.21877/2024 in W.P.(C) Nos.1394/2023 Mr. T.V.S. Raghavendra Sreyas, AOR  
Mr. Naveen Hegde, Adv.  
Mrs. Gayatri Gulati, Adv.
- IA NO.94024/2024 in W.P.(C) Nos.1394/2023 Mr. Prabhat Ranjan Raj, AOR
- IA NO.2959/2025 in W.P.(C) Nos.1394/2023 Mr. Devadatt Kamat, Sr. Adv.  
Mr. Ayush P Shah, Adv.  
Mr. Arijit Dey, Adv.  
Mr. Mehul Kumar Garg, Adv.  
Mr. Nishanth Patil, AOR

IA NO.79540/2025 in W.P.(C) Nos.1394/2023	Dr. A.M. Singhvi, Sr. Adv. Mr. Mahesh Agarwal, Adv. Mr. Arshit Anand, Adv. Mr. Shashwat Singh, Adv. Mr. Siddhant Sahay, Adv. Mr. E.C. Agrawala, AOR
IA NO.107354/2024 in W.P.(C) Nos.1394/2023	Mr. Anuj Bhandari, AOR
IA NO.53222/2024 in W.P.(C) Nos.1394/2023	M/S. S-legal Associates, AOR
IA NO.24981/2024 in W.P.(C) Nos.1394/2023	Mr. Atmaram N.S. Nadkarini, Sr. Adv. Mr. Samit Shukla, Adv. Ms. Saakshi Saboo, Adv. M/S. Trilegal Advocates On Record, AOR
IA Nos.133828/2024 and 134881/2024 in W.P.(C) Nos.1394/2023	Mr. Tarun Gupta, AOR
IA NO.44332/2025 in W.P.(C) Nos.1394/2023	Mr. Satyajit A. Desai, Adv. Mr. Abhinav K. Mutyalwar, Adv. Mrs. Anagha S. Desai, Adv. Ms. Neha Bhosale, Adv. Ms. Anuja Divadkar, Adv. Mr. Yashwant Singh, Adv. Mr. Satya Kam Sharma, AOR
IA NO.62080/2024 in W.P.(C) Nos.1394/2023	Mr. Pallav Mongia, AOR
IA NO.203664/2024 in W.P. (C) Nos.1394/2023	Ms. Mayuri Raghuvanshi, AOR Mr. Vyom Raghuvanshi, Adv. Ms. Akanksha Rathore, Adv. Ms. Kinjal Sharma, Adv.
IA NO.65447/2024 in W.P.(C) Nos.1394/2023	Mr. V. Chitambaresh, Sr. Adv. Mr. Karthik S.D., AOR Mr. C. Govind Venugopal, Adv.
IA NO.41559/2025 in W.P.(C) Nos.1394/2023	Mr. Siddhant Kohli, Adv. Mr. Kaustabh Bhattacharjee, Adv.

	<b>Ms. Garima Jain, AOR</b>
<b>IA NO.78423/2025 in W.P.(C) Nos.1394/2023</b>	<b>Mr. Sanjay Upadhyay, Sr. Adv. Mr. Shubham Upadhyay, AOR Ms. Mansi Bachani, Adv.</b>
<b>IA No.21422/2025 in W.P.(C) Nos.1394/2023</b>	<b>Mr. Anand Varma, AOR Ms. Apoorva Pandey, Adv.</b>
<b>IA NO.16457/2025 in W.P.(C) No.12/2025</b>	<b>Mr. Zulfiker Ali P. S, AOR</b>
<b>IA NO.100108/2024 in W.P. (C) Nos.1394/2023 (Disposed of)</b>	<b>Ms. Aishwarya Bhati, Sr. Adv. Mr. Vivek Chib, Sr. Adv. Mr. Vipul Ganda, Adv. Mr. Kunal Cheema, AOR Ms. Anuradha Arputham, Adv.</b>
<b>IA No.203838/2024 in W.P. (C) Nos.1394/2023 (Disposed of)</b>	<b>Ms. Aishwarya Bhati, ASG Mr. Gudapati G. Kashyap, Adv. Ms. Manisha Ambwani, AOR</b>
<b>IA No.263584/2024 in W.P. (C) Nos.1394/2023 (Disposed of)</b>	<b>Mr. Sandeep Sudhakar Deshmukh, AOR Mr. Nishant Sharma, Adv. Mr. Ankur S. Savadikar, Adv.</b>
<b>IA Nos.25150/2024 and 185580/2024 in W.P.(C) Nos.1394/2023 (Disposed of)</b>	<b>Mr. Kunal Mimani, AOR</b>
<b>IA No.151027/2024 in W.P. (C) Nos.1394/2023 (Disposed of)</b>	<b>Mr. Amar Dave, Sr. Adv. Ms. Nandini Gore, Adv. Ms. Sonia Nigam, Adv. Mr. Akhil Abraham Roy, Adv. Mr. Mohammad Shahyan Khan, Adv. For M/S. Karanjawala &amp; Co., AOR</b>
<b>IA No.166248/2024 in W.P. (C) Nos.1394/2023 (Disposed of)</b>	<b>Ms. Charanya Lakshmikumaran, AOR</b>

IA No.284149/2024 in W.P. Mr. Anil Kumar Verma, AOR  
(C) Nos.1394/2023  
(Disposed of)

IA No.190487/2024 in W.P. Mr. Aditya Soni, AOR  
(C) Nos.1394/2023  
(Disposed of)

IA No.250732/2024 in W.P. Mr. A. Karthik, AOR  
(C) Nos.1394/2023  
(Disposed of)

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

WRIT PETITION (CIVIL) NO(S).1394/2023, 118/2019 AND 115/2024 AND  
CIVIL APPEAL NOS.381-382/2025

Submissions are heard.

Judgment is reserved.

WRIT PETITION (CIVIL) NO.12/2025

De-tagged.

(ASHISH KONDLE)  
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)  
COURT MASTER (NSH)



True Copy



Gmail

Adv Sangramsingh Bhonsle &lt;sangramsinghbhonsle@gmail.com&gt;

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**Ref: Request for details regarding WP No 115/2024**

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**Srishti Agnihotri** <srishtiagnihotriofficial@gmail.com>

Thu, 24 Apr at 12:04 PM

To: Adv Sangramsingh Bhonsle &lt;sangramsinghbhonsle@gmail.com&gt;

Respected Sir

Pursuant to our conversation and your request, please find attached the prayer clause in the Petition (which has been reserved for orders/judgment.). It challenges the notification of 14.3.2017.

Regards

Screenshot 2025-04-24 at 11.59.44 AM.png

## PRAYER

In light of the above facts and circumstances, it is respectfully prayed that this Hon'ble Court may be pleased to:

- a. Quash and set aside the impugned Notification dated 14 March 2017 issued by the Respondent and its subsequent application as being contrary to the EP Act, 1986 and for being arbitrary, illegal and violative of Articles 14 and 21 of the Constitution;
- b. Quash and set aside the impugned OM dated 07 July 2021 issued by the Respondent as being contrary to the EP Act, 1986, EIA Notification of 2006 and for being arbitrary, illegal and violative of Articles 14 and 21 of the Constitution.
- c. Pass an order issuing a Writ in the Nature of Prohibition restraining the MOEF from using any Notification/ OM permitting *ex post facto* environmental clearance;
- d. Quash and set aside *ex post facto* ECs granted under the Impugned Notification dated 14.3.2017;



**True Copy**

## PROOF OF SERVICE



Adv Sangramsingh R Bhonsle &lt;srb.chambers@gmail.com&gt;

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**Service of Rejoinder: Review Application No. 9 of 2023 in Appeal No. 68 of 2019  
between M/s Grenesiis Constro Pvt. Ltd V. Vishal Arinjay Shah & Ors.**

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Adv Sangramsingh R Bhonsle &lt;srb.chambers@gmail.com&gt;

Thu, 24 Apr at 7:29 PM

To: tanaji gambhire <tanaji9june@gmail.com>, <rahul.garg@mgklegal.com>, Raghunath Mahabal  
<mahabal60@gmail.com>, <aniruddha1488@gmail.com>, <adv.manasi.joshi@outlook.com>

Cc: Adv Sangramsingh Bhonsle &lt;sangramsinghbhonsle@gmail.com&gt;

Sir/Ma'am,

We are the Advocates appearing on behalf of the Applicant in the above mentioned matter. Please find attached herewith a copy of the Rejoinder dated 24.04.2025 on behalf of the Applicant.

Consider this email as the service of the same on your esteemed office.

Regards,

**Sangramsingh R. Bhonsle**

Advocate On Record

Supreme Court of India

H-5, Second Floor, Lajpat Nagar III,

New Delhi - 110024.

Mob- 9545809120

Grenesiis Rejoinder\_Final\_210425.pdf

**True Copy**