

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

I.A.No:118 of 2020

in

O.A.No:107 of 2020

Anumula Revanth Reddy

.....Applicant

-Vs-

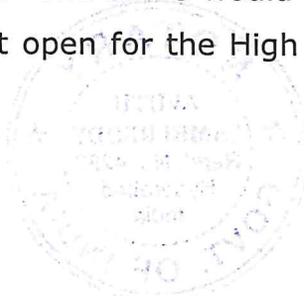
Union of India & others

.....Respondents

REPLY FILED BY THE 4TH RESPONDENT

The 4th Respondent, the Telangana State Pollution Control Board states as follows:

- 1) The 4th Respondent hereby denies all the averments, allegations and statements contained in the I.A.No:118 of 2020 excepting those specifically admitted herein as being false and incorrect.
- 2) The instant application is not maintainable. The same has been filed on misconception and on an erroneous understanding of the order passed by the Hon'ble Supreme Court of India.
- 3) The applicant who did not obtain any leave from the Hon'ble Supreme Court of India to agitate all the issues that have been conclusively determined by the Hon'ble High Court and confirmed by the Hon'ble Supreme Court of India cannot be permitted to make such averments before this Hon'ble Tribunal to enlarge the scope of the proceedings which have been already restricted by order dated 20.07.2020. The said order dated 20.07.2020 has not been appealed against and while so, this application in the nature of seeking for a review of that order is not permissible and not maintainable.
- 4) As regards to the averments in para 3 are concerned, it is respectfully submitted that the true meaning and import of the Hon'ble Supreme Court's order is that the questions of law raised in the SLP are left open to be considered by the Hon'ble Supreme Court itself in a future matter, if such questions arise in future. The same would not and does not mean that the question of law is left open for the High Court to consider. The



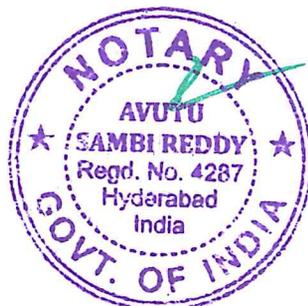
fact is that the Hon'ble Supreme Court did not deem it fit to entertain the SLP filed by the applicant as against the High Court's Judgment dated 17/07/2020 in W.P.(PIL) No:155 of 2020. In so far as the parties to the litigation are concerned, the dismissal of the SLP is conclusive and final of the determination of the issues involved in the said litigation and it cannot be suggested to mean as if the questions of law are left open to be agitated by the very same parties in another forum, which could never have been the intention of the dismissal of the SLP by the Hon'ble Apex Court. That in effect would mean setting aside the judgment of the High Court, which is not the case at all.

- 5) It is respectfully submitted that the applicant is wrongfully trying to take advantage of the words contained in the Hon'ble Supreme Court's order and quote the same out of context and in a totally misleading manner.
- 6) The averments in para 4 and 5 are totally irrelevant for the purposes of the present application. The core issues that have been raised have been already decided by the Hon'ble High Court of Telangana in the W.P.(PIL) No:155 of 2020 and the said order has been already confirmed by the Hon'ble Supreme Court of India. In fact, this Hon'ble Tribunal has taken note of the judgment of the Hon'ble High Court of Telangana in the order dated 20.07.2020 and this Hon'ble Tribunal's order dated 20.07.2020 was earlier to the Hon'ble Supreme Court's order dated 28.10.2020 and it is deemed that the applicant has placed the said order of this Hon'ble Tribunal for the consideration of the Hon'ble Supreme Court of India and taken note of. In those circumstances, making averments to the contrary are not correct and proper.
- 7) Therefore, it is most humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the I.A.No: 118 of 2020 in O.A.No:107 of 2020 and pass such further or other orders and thus render justice.

Dated at Hyderabad on this the day of April, 2021

Counsel for 4th Respondent


4th Respondent
MEMBER SECRETARY
T.S. Pollution Control Board
Paryavaran Bhavan, A-3, I.E.,
Sanathnagar, Hyderabad-18.



VERIFICATION

I, Neetu Kumari Prasad, aged 46 Years, Occ. Member-Secretary of the
Telangana State Pollution Control Board – 4th Respondent, do hereby verify that
what are all stated above are true and correct to the best of my knowledge, as
per the office records.

Verified at Hyderabad on this the 08 day of April, 2021


4th Respondent
MEMBER SECRETARY
T.S. Pollution Control Board
Paryavaran Bhavan, A-3, I.E.,
Sanathnagar, Hyderabad-18.

