

Association For Protection Of ... vs The State Of West Bengal on 9 January, 2020

Bench: Chief Justice, B.R. Gavai, Surya Kant

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ITEM NO.35

COURT NO.1
S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

SECTION XVI
I N D I A

Petition(s) for Special Leave to Appeal (C)

No(s).25047/2018

(Arising out of impugned final judgment and order dated
No. 5181/2017 passed by the High Court At Calcutta)

31-08-2018 in WP

ASSOCIATION FOR PROTECTION OF
DEMOCRATIC RIGHTS & ANR.

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ORS.

Respondent(s)

(With IA No. 140401/2018 - INTERVENTION APPLICATION)

WITH SLP(C) No. 25532/2018 (XVI)

(With Appln(s) for EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON
IA 135189/2018 and FOR ADDITION / DELETION / MODIFICATION PARTIES ON IA
185534/2018 and IA No. 185534/2018 - ADDITION / DELETION / MODIFICATION
PARTIES and IA No. 135189/2018 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT)

Date : 09-01-2020 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s)

Mr. Prashant Bhusan, Adv.
Mr. Raghunath Chakraborty, Adv.
Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Saurav Gupta, Adv.
Mr. O. Kuttan, Adv.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Subhasish Bhowmick, AOR
Ms. Manisha Pandey, Adv.
Mr. Kunal Malik, Adv.

For Respondent(s)/
Applicant(s)

Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Suhaan Mukerji, Adv.

Ms. Astha Sharma, Adv.
Mr. Vishal Prasadi, Adv.
Mr. Amit Bhandari, Adv.
Mr. Amit Verma, Adv.
Mr. Abhishek Manchanda, Adv.
Ms. Kajal Dalal, Adv.

Signature Not Verified

M/s PLR Chambers And Co., AOR

Digitally signed by
SANJAY KUMAR
Date: 2020.01.10
16:40:28 IST
Reason:

Mr. Rakesh Chaudhary, Adv.
Mr. Naresh Kumar, AOR

Mr. A.N.S. Nadkarni, ASG
Ms. Chinmayee Chandra, Adv.

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Ms. Suhasini Sen, Adv.
Mr. Salvador S. Rebello, Adv.
Ms. Arzu Paul, Adv.
Mr. Neeleshwar Pavani, Adv.
Ms. Riya Soni, Adv.
Ms. Akansha Jain, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Manish K. Bishnoi, AOR
Mr. Sachin Sharma, Adv.
Mr. Umang Raj, Adv.

Mr. Dharendra Kumar Mishra
Mr. Santi Ranjan Das, Adv.
Mr. Anindo Mukherjee, Adv.
Mrs. Sarla Chandra, AOR

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

These cases present the usual dilemma between environmental protection and development. Obviously, each situation involves different considerations. Whatever be the method adopted for the evaluation of the loss to the environment or to the economy in general, it is desirable if alternatives to the proposed felling of heritage trees is considered by a committee of experts.

In the circumstances, we consider it appropriate to direct that there shall be a committee of experts comprising of the following members :

(1) Prof. Nishikant Mukerji Mg. Director, Tiger Environment Centre, No.21, Indrasagar Apartments, 5th Floor, Akashwani Square, RN Tagore Road, Civil Lines, Nagpur – 440001 (Maharashtra).

Cell : 9822708434 Email : nishikantm@yahoo.com (2) Dr. Soham Pandya Secretary and Executive Director, Centre of Science for Villages, Dattapur, Wardha – 442 001, Maharashtra. Cell : 9890434003 and 7030288445 Phone : (07152) 250570 Email : soham.ced@gmail.com (3) Ms. Sunita Narain Director, Centre for Science and Environment 41, Tughlakabad Institutional Area New Delhi-110062 Cell : 9810064207 Phone: (91) (11) 40616000, 29955124, 29956110, 29956394, 29956399 Fax: (91) (11) 29955879 Email: cse@cseindia.org (4) Mr. Bikash Kumar Maji Assistant Chief Engineer, PIU(ROB), P.W. (Roads) Directorate, Government of West Bengal, Kolkata, West Bengal, Cell : 9073914261 (5) Mrs. Niranjita Mitra Division Forest Officer, North 24 Parganas, Kolkata, West Bengal.

Cell : 9830044254 The aforesaid Committee shall expeditiously take a decision about the best course to be adopted in the present case and make a report to this Court within a period of five weeks from today.

The State of West Bengal will make adequate arrangements viz., travelling, lodging, boarding, etc., for the members of the aforesaid Committee at its own costs, to enable them to visit the site in the State of West Bengal.

The Registry is directed to send the copies of this order to the aforesaid members of the Committee forthwith.

List these matters on 18.2.2020.

(SANJAY KUMAR-II) (INDU KUMARI POKHRIYAL) COURT MASTER (SH) ASSISTANT REGISTRAR