

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL No.4852/2024

DABUR INDIA LIMITED

APPELLANT

VERSUS

NATIONAL BIODIVERSITY AUTHORITY

RESPONDENT

O R D E R

1. Challenge in this appeal under Section 22 of the National Green Tribunal Act, 2010¹ is to a judgment and order dated 20th December, 2023² passed by the National Green Tribunal, Southern Zone at Chennai³ on Appeal No.54 of 2022.

2. The Tribunal, after examining the order under challenge⁴ before it passed by the National Biodiversity Authority⁵ on its own merits, found the same to be lacking in reasons; hence, the Tribunal set aside the impugned order and ordered a remand. The NBA was directed to reconsider its earlier order and in doing so, to follow the principles of natural justice. The appeal, thus, stood allowed on the aforesaid terms.

3. The impugned order of the tribunal was not stayed by this Court while notice was issued on this appeal; however, noting that an order on remand

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NGT Act, 2010
impugned order
Tribunal
dated 04th August, 2022
NBA
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could have been passed in terms of the impugned order, liberty was granted to the appellant to place it on record.

4. It is not in dispute that in terms of the impugned order of the Tribunal the NBA has passed a fresh order⁶ rejecting the claim of the appellant.

5. Mr. V Lakshmikumaran, learned senior counsel for the appellant, seeks to assail the impugned order on the various grounds urged by him. However, an objection has been raised on behalf of the respondents. According to learned counsel representing them, the fresh order passed by the NBA, on remand, is amenable to a challenge before the Tribunal under Section 16(j) of the NGT Act, 2010 and, therefore, the appellant ought to be relegated to such remedy.

6. Mr. V Lakshmikumaran does not dispute that an appeal is available; however, he submits that if indeed this Court were inclined to grant liberty to the appellant to challenge the order afresh before the Tribunal, the impugned order of the NGT, to the extent it contains observations affecting the interest of the appellant, may be set aside.

7. Having heard learned counsel for the parties, we dispose of this appeal granting liberty to the appellant to challenge the order of the NBA dated 18th April, 2024, passed on remand, in a fresh appeal under Section 16(j) of the NGT Act.

8. Should an appeal be instituted within 30 (thirty) days from this date, the Tribunal will proceed to decide the appeal on merits and limitation, in such case, will not stand as a bar.

9. We also observe that since we are refraining from examining the impugned order on its own merits, having regard to a subsequent order of rejection having surfaced, the Tribunal while proceeding to decide the appeal, if

⁶ dated 18th April, 2024

filed, shall do so without being influenced by any observation made in the impugned order.

10. All points and contentions on merits are kept open.
11. The civil appeal is disposed of on the aforesaid terms.
12. Pending application(s), if any, shall also stand disposed of.

.....J.
(DIPANKAR DATTA)

.....J.
(SHEEL NAGU)

**New Delhi;
August 13, 2026.**

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 No.4852/2024

DABUR INDIA LIMITED

Appellant

VERSUS

NATIONAL BIODIVERSITY AUTHORITY

Respondent

I.A. No.119248/2024-AMENDMENT OF APPEAL/PETITION/I.A.

I.A. No.88314/2024-EX-PARTE STAY

I.A. No.119100/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

I.A. No.119075/2024-STAY APPLICATION

Date : 13-08-2026 This matter was called on for hearing today.

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

For Appellant(s) : Mr. V Lakshmikumaran, Adv.
Ms. Neha Choudhary, Adv.
Ms. Charanya Lakshmikumaran, AOR
Ms. Nitum Jain, Adv.
Mr. L Badri Narayanan, Adv.
Ms. Medha Sinha, Adv.
Mr. Swastik Mishra, Adv.
Mr. Yashovardhan Singh, Adv.
Mr. Adithya Nair, Adv.
Ms. Ananya Gupta, Adv.

For Respondent(s) : Mr. Jayesh K. Unnikrishnan, AOR
Ms. Sasmita Tripathy, Adv.
Mr. Ayush Baliarsingh, Adv.
Mr. Somesh Sankhala, Adv.
Mr. Ashish Kumar Rai, Adv.

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

1. The civil appeal is disposed of in terms of the signed order.
2. Pending application(s), if any, shall also stand disposed of.

(MANIK KUMAR)
SENIOR PERSONAL ASSISTANT

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

(signed order is placed on the file)