

16 to 19

% 10.11.2010

Present : Mr.Nishant Datta & Mr.Ranjan Grover, Advocates for the petitioners.
Mr.Sanjeev Ralli and Mr. Sandeep Anand, Advocates for respondent no.1/DPCC.
Mr.Anjum JNaved, Advocate for the respondent no.3.

+CM No.19678/2010 in W.P.(C)No.7563/2010,
CM No.19680/2010 in W.P.(C) No.7564/2010
CM No.19682/2010 in W.P.C.(C) No.7565/2010 &
CM No.19686/2010 in W.P.(C) No.7567/2010
(for exemption)

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Allowed subject to just exceptions.

W.P.(C) No.7563/2010 & CM No.19677/2010 (u/S 151 CPC),
W.P.(C) No.7564/2010 & CM No.19679/2010 (u/S 151 CPC),
W.P.(C) No.7565/2010 & CM No.19681/2010 (u/S 151 CPC) &
W.P.(C) No.7567/2010 & CM No.19685/2010 (u/s 151 CPC)

Notice.

Counsel for the respondent nos.1 & 3 accepts notice.

Counsel for the petitioner states that the respondent no.2 is a proforma party.

The petitioner has impugned the order of the Delhi Pollution Control Committee dated 12.10.2010, whereby the petitioner has been directed to stop the operation of his unit with immediate effect. This order has been passed under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981. Counsel for the petitioner has drawn attention of this Court to Rule 20A of the Air

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(Pollution and Control) (Union Territories) Rules 1983 and the mandate contained therein.

Without going further into merits of the controversy, learned counsel for the respondent has pointed out that since the inspection of this unit had been conducted on 22.09.2010 and copy of this inspection report has been handed over to the learned counsel for the petitioner today. The order dated 12.10.2010 be treated as a show cause notice. 15 days time is accordingly granted to the petitioner to show cause to the said notice.

Meanwhile, it is also open to respondent no.1 to undertake inspection of the petitioner's unit at any time within 10 days from today without prior notice to the petitioner. The further inspection report if any will be got signed by the petitioner. It will be open to the petitioner to file objections to the said inspection report, if any. No further directions are required in this petition. The petition as also the application is disposed of accordingly.

Dasti.

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INDERMEET KAUR, J.

NOVEMBER 10, 2010
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