

Court No. - 40

Case :- WRIT - C No. - 37626 of 2023

Petitioner :- Bablu Shah And 4 Others

Respondent :- Union Of India And 4 Others

Counsel for Petitioner :- Raj Kumar Khanna, Ajay Kumar Singh, Ram Kripal

Counsel for Respondent :- C.S.C., A.S.G.I., Hari Nath Tripathi, Manoj Kumar Singh

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard Shri Raj Kumar Khanna, learned counsel for the petitioners, Shri Krishna Kant Ojha, learned counsel appearing for respondent no. 1, Shri Manoj Kumar Singh, learned counsel appearing for respondent no. 2, Shri Alok Tripathi holding brief of Shri Hari Nath Tripathi, learned counsel appearing for respondent no. 3 and Shri S.C. Upadhyay, learned Standing Counsel for the State-respondents.

2. The petitioners have prayed for the following reliefs :-

"(i) issue a writ, order or direction in the nature of mandamus directing the respondent nos. 1 to 4 not to accord permission to establish a Petrol Pump in front of Primary School, Village- Shahpur Sirpura, Tehsil- Asmoli, District- Sambhal in violation of guidelines issued by the Central Pollution Control Board, New Delhi in the office memorandum dated 07.01.2020 and Circular dated 16.06.2023.

(ii) issue a writ, order or direction in the nature of mandamus directing the District Magistrate, Sambhal to take an action on the representations of the petitioners."

3. Considering the facts and circumstances, once we have declined to entertain the writ petition as the same is premature, Shri Khanna, learned counsel for the petitioner states that he is not inclined to press the present writ petition at this stage. Leave may be accorded to challenge the NOC at the appropriate stage.

4. With the aforesaid leave, the writ petition stands **disposed of**.

Order Date :- 1.11.2023

Rama Kant