

GAHC010028982016



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/6671/2016

M/S S M F BRICKS UNIT-II
REP. BY ITS PROP. MD. SAKHIL QURESSI, R/O CHINATOLI DILINGIAGAON,
P.O. KHATISONA, DIST- JORHAT, ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM,
ENVIRONMENT AND FOREST DEPTT., DISPUR, GHY-6

2:THE COMMISSIONER AND SECY.
TO THE GOVT. OF ASSAM
DEPTT. OF INDUSTRIES
DISPUR
GHY-6

3:THE POLLUTION CONTROL BOARD
ASSAM
REP. BY THE MEMBER SECY.
ASSAM POLLUTION CONTROL BOARD
BAMUNIMAIDAM
GHY-21

4:THE REGIONAL EXECUTIVE ENGINEER
POLLUTION CONTROL BOARD
REGIONAL OFFICE
JORHAT
ASSAM
PIN-785001

5:THE DY. COMMISSIONER
JORHAT

ASSAM
PIN-785001

6:THE DY. GENERAL MANAGER DISTRIBUTION
APDCL JORHAT ELECTRICAL CIRCLE
ASEB
PIN-785001

7:THE SUPERINTENDENT OF POLICE
JORHAT DISTRICT
PIN-78500

Advocate for the Petitioner : MR.K J SAIKIA, MS.R LAHKAR,MR.S GANGULY

Advocate for the Respondent : SC, P C B A, MS. B. B. HUSSAIN, SC, APDCL,GA, ASSAM,MR.P J PHUKAN

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

28.08.2024

1. No one appears for the petitioner on call.
2. Mr. R. Bora, learned counsel appearing for the APDCL, Mr. N. Kalita, learned counsel appearing for the respondent no.2 and Mr. S.R. Baruah, learned counsel appearing for the respondent nos.5 & 7 submit that the closure notice issued under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as the "1981 Act"), which has been put to challenge in this writ petition, should have been challenged, in terms of Section 31 of the 1981 Act, which is an alternative remedy available to the petitioner.
3. This Court has noticed that the petitioner has not been represented on the last date also.
4. In view of there being no representation on behalf of the petitioner, it

appears that the petitioner is not interested in pursuing the matter.

5. The writ petition is accordingly dismissed for non-prosecution.

JUDGE

Comparing Assistant