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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2166 of 2021

1 - Abdul Junaid S/o Late Shri Abdul Rashid Aged About 39 Years R/o C.M.D. College Ke Samne, Linkroad Thana Tarbahar Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Secretary, Chhattisgarh Van Avm Paryavaran Vibhag Mantralay, Naya Raipur Chhattisgarh, District : Raipur, Chhattisgarh

2 - Secretary, Chhattisgarh Paryavaran Sanrakshan Mandal, Naya Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

3 - Collector, Bilaspur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

4 - Commissioner Pradushak Niyantarak Board Bilaspur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

5 - Anuvibhagiya Dandadhikari Karyalay Anuvibhagiya Dandadhikari Bilaspur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

6 - Police Adhishak Bilaspur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

7 - Thana Prabhari, Police Thana Ratanpur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

8 - Anil Dua Proprietor Anil Agro Private Limited Gatouri Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

9 - Jugal Kishor Agrawal Peti Contactor/ Bhagidar Anil Agro Private Limited Gatouri Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

... Respondent(s)

For Petitioner(s) : Mr. Abdul Moin Khan on behalf of Mr. Abdul Wahab Khan, Advocate

For Respondent(s) : Mr. Kabeer Kalwani, Advocate

No. 8 and 9

For Respondent(s) : Mr. Pranjal shukla, P.L.

No. 1, 3, 5, 6 and 7

/State

SB – Hon’ble Shri Justice Sanjay K. Agrawal

Judgment on Board

16/07/2026

1. This writ petition under Article 226/227 of the Constitution of India has been filed by the petitioner on the ground that pollution is being caused by the operation of the rice mill run by respondents No. 8 and 9.
2. Reply has been filed by respondents No. 8 and 9 which states as under :-

“5. That, it is surprising that only the private respondent no. 08 & 09 have been singled out and have been targeted for certain oblique and malafide motives. It is admitted position that the rice mill of the petitioner is situated at village gatauri and the godown of the petitioner

as well as the farm is situated at the distance of 300 mtrs. It is also relevant to mention here that in the same locality within the distance of 1 KM radius, a sponge iron factory(namely Satya Power and Iron Industry), Sudha Power Ltd.,Indranil Coal washeries, coal dumping yard and other a rice mills/ boiler plants are running in the same area but according to the petitioner the answering respondents are only responsible for pollution (if any). If the petitioner is very well aware in respect of the other industrial units but for the reasons best known to the petitioner only the answering respondent no. 08 has been impleaded.

6. That, the answering respondent no. 02 & 04 already submitted their return along with the latest inspection report wherein the air quality was examined from the air monitoring analysis report (please see para-6 of the return of respondent no. 02 & 04).

7. That, the petitioner has installed all necessary equipment's in the mill to mitigate the air and water pollution therefore it can't be said that the environmental guidelines are not being followed. The petitioner is also running a petrol pump situated in the same area. The petitioner is also doing all the commercial activities in the same area and on the other hand on the flimsy grounds the petition has been filed. The allegations contained in the writ petition are not been substantiated by filing any documentary evidence. It is also relevant to mention at this juncture that the unit of the answering respondent was established in 2011 and now after near about 11 years this petition has been filed. There is no substance in the writ petition.

8. That, in view of the above detailed reply the parawise reply of the petition has not been filed. The allegations contained in the writ petition are baseless and are not correct and the answering respondents are deny the said allegations.”

3. After hearing learned counsel for the parties and after going through the record particularly considering the aforesaid reply filed by respondents No. 8 and 9, it appears that pollution control Board is duly monitoring the pollution allegedly caused by respondents No. 8 and 9 and as such, at present, no grievance survives in this writ petition.

4. Accordingly, this writ petition stands disposed of. No cost(s).

Sd/-

(Sanjay K. Agrawal)

JUDGE

Harneet