



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JANUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 410 OF 2026 (GM-POL)

BETWEEN:

1. RAFIK MOLLA
S/O. ABDUL RAHIM MOLLA
AGED ABOUT 59 YEARS
PROPRIETOR
R.M. RUBBER CASTING
(RUBBER CASTING JEWELLERY
MANUFACTURING UNIT)
NO.32/3, ANJANEYA SWAMY TEMPLE STREET
28TH CROSS, CUBBONPET
BENGALURU - 560 002

...PETITIONER

(BY SRI H.R. VISHWANATH, ADVOCATE)

AND:

1. KARNATAKA STATE POLLUTION
CONTROL BOARD
"PARISARA BHAVAN"
1ST TO 5TH FLOOR
#49, CHURCH STREET,
BENGALURU - 560 001
BY ITS CHAIRMAN

...RESPONDENT

(BY SRI A. MAHESH CHOWDHARY, ADVOCATE)

Digitally signed
by PRABHAKAR
SWETHA
KRISHNAN
Location: High
Court of
Karnataka



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI, QUASH THE CLOSURE ORDER DATED 29.12.2025 No. PCB/SEO-Enf-Cmp/CLOSURE ORDER-WPC/2025-26/377 CLOSURE ORDER DATED 29.12.2025 No. PCB/SEO-Enf-Cmp/CLOSURE ORDER-APC/2025-26/378, ISSUED BY THE RESPONDENT VIDE ANNEXURE-F & G AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioner has filed the present petition, *inter alia*, impugning the closure orders dated 29.12.2025 (Annexures-F and G) issued by the respondent-Karnataka State Pollution Control Board [**KSPCB**] under Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 read with Rule 34 of the Karnataka Board for the Prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention and Control



of Pollution) Rules, 1976 and under Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 read with Rule 20(A) of the Karnataka Air (Prevention and Control of Pollution) Rules, 1983 respectively.

2. The petitioner has been running a small undertaking, which according to KSPCB falls under "Small Orange Category" in the premises, bearing the address, No.32/3, Anjaneya Swamy Temple Street, 28th Cross, Cubbonpet, Bengaluru. The petitioner is engaged in the activity of manufacturing jewellery and related items since past several years. The petitioner claims that it designs and casts gold and silver ornaments, which is essentially an artisan activity. The petitioner states that the said activity causes negligible pollution and therefore, the impugned order is erroneous.

3. It is seen that the impugned order was passed on a complaint received by KSPCB alleging that the petitioner's unit was polluting the environment. The petitioner does not dispute that the manufacturing activities include purification of the material with acid, smelting operations and use of sulphuric acid for polishing the metal articles/ornaments. It is also not disputed that the petitioner's



unit is located in a residential area. Although it is stated that the petitioner's unit was inspected, the impugned order indicates that the same was viewed from outside. The inspecting team had allegedly noticed that the petitioner had not provided any air pollution control measures for casting activities. The petitioner has not been provided any opportunity to be heard.

4. In view of the above, we consider it apposite to direct that the impugned orders be considered as show cause notices. The petitioner is at liberty to respond to the said show cause notices within a period of two weeks from date. On receiving the response, KSPCB shall inspect the petitioner's unit and if there are any measures required to be taken by the petitioner, the same would be informed to the petitioner. The petitioner is also at liberty to apply for Consent To Operate [**CTO**]. In the event, the petitioner makes such an application, the same would be considered on merits and shall be processed in accordance with law. Needless to state that the petitioner shall comply with the conditions imposed by KSPCB.



5. We are also informed that the premises being used by the petitioner are also used for residential purpose. In these circumstances, we also grant liberty to the petitioner to furnish an undertaking to the effect that till the petitioner obtains the CTO, it shall not carry on any of the activities which are alleged to be violating the pollution norms.

6. On the petitioner furnishing such an undertaking to KSPCB, the electricity connection to the premises in question shall be restored. Needless to state that in the event the petitioner or any of the persons residing in the premises in question violate the said undertaking, KSPCB shall be at liberty to issue further directions.

7. The petition is disposed of in the aforesaid terms.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**