

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10346 of 2015

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Arbind Kumar Singh, Proprietor of M/s Maa Vaishno Devi Engineering Works, son of Late Ram Pratap Singh, resident of Mohalla- Brindawan Colony, Jakriyapur, P.S.- Ramkrishna Nagar, Patna- 800 007

.... Petitioner

Versus

1. The State of Bihar
2. The Chairman, Bihar State Pollution Control Board, Beltron Bhawan, Shastri Nagar, Patna- 800023
3. The Member-Secretary, Bihar State Pollution Control Board, Beltron Bhawan, Shastri Nagar, Patna- 800 023
4. The District Magistrate, Patna, District- Patna
5. The Sub-Divisional Officer, Patna Sadar, District- Patna

.... Respondents

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Appearance :

For the Petitioner : Mr. Anil Chandra, Advocate

For the Board : Mr. Shivendra Kishore, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 15-09-2015 The petitioner prays for quashing order dated 9.3.2015 passed in Letter no. T3291 as well as consequential order dated 28.4.2015, passed in Memo no. 410 by which respondent no.3 and 5 have directed him to close his Grill, Shutter manufacturing shop as public complaint against the said unit had been received regarding noise pollution. IA No.5652 of 2015 has also been filed for staying operation of the aforesaid orders.

Mr. Shivendra Kishore, Learned counsel appearing for Bihar State Pollution Control Board, submits that the petitioner is running the unit without permission of the Board and district

Industrial Centre, therefore it is illegal. Further, the petitioner has alternative remedy of appeal under Air (Prevention and Control of Pollution) Act, 1981 before a Committee presided over by the Member Board of Revenue.

I find that the petitioner, instead, has also filed a representation before the Chairman of the Board. Liberty is granted to the petitioner to file an appeal before the Committee within a period of four weeks from today. In case, petition for condonation of delay is filed, the same would be considered sympathetically, as the petitioner was pursuing the remedy before this Court.

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(Samarendra Pratap Singh, J)