

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.7841 of 2015

Dt:03.06.2015

Between:

Golla Jakkula Naganna and others.

... Petitioners

And

The State of Telangana, rep., by its Principal Secretary,

Industries & Commerce (Mines) Department, Secretariat, Hyderabad and others.

... Respondents

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PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Learned counsel for the petitioners does not press this writ petition on merits and prays for withdrawal of the same with liberty to the petitioners to file appeal under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (for short 'the Act'). He further prays for directions to appellate authority under the provisions of the Act to consider the appeal on merits, in accordance with law, without entering into an issue of limitation.

Writ petition is disposed of as withdrawn. It is open to the petitioners to file appeal under Section 31 of the Act before the appellate authority, within a period of two weeks from today. If any such appeal is filed along with an application for condonation of delay, the appellate authority may condone the delay in exercise of its powers under the proviso to Section 31 (1) of the Act and decide the appeal on merits. All contentions of the petitioners are kept open. It is open to the petitioners to place the report, dated 01.04.2015, of the 2nd respondent-Pollution Control Board, along with the appeal before the appellate authority.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Dt:03.06.2015

kdl/Es

