

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

Writ Petition No.45825 of 2016

ORDER: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

The relief, sought for in this writ petition, is to declare the order passed by the Andhra Pradesh Pollution Control Board dated 16.06.2015 as contrary to the Bio-Medical Waste Management Rules, 2016 read with the Central Pollution Control Board Guidelines for Common Bio-Medical Waste Treatment Facilities; and to consequently set aside the same.

While we were initially inclined to put the respondents on notice, Sri G.Ramachandra Rao, learned Standing Counsel for the Andhra Pradesh Pollution Control Board, would submit that the respondents were willing to consider the petitioner's application in accordance with the Rules now in force, and not the earlier Rules. Sri Y.Srinivasa Murthy, learned counsel for the petitioner, would submit that it would suffice if the respondents are directed to consider the petitioner's application in accordance with the Rules now in force, and pass an order afresh in accordance with law.

The impugned order is set aside, recording the submission of Sri G.Ramachandra Rao, learned Standing Counsel for the Andhra Pradesh Pollution Control Board, that the respondents would consider the petitioner's application in accordance with the Rules now in force within six weeks from today. The Writ Petition is disposed of accordingly. Needless to state that the respondents shall strictly adhere to the Rules presently in force while considering the petitioner's application afresh. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(A.SHANKAR NARAYANA, J)

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Date: 28.12.2016

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