

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-23290 of 2016 (O&M)

Date of Decision:- 17.04.2017

M/s Sada Shiv Stone Crusher

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE S.S.SARON
HON'BLE MR. JUSTICE DARSHAN SINGH**

Present:- Mr. Madan Pal, Advocate,
counsel for the petitioner.

Mr. Randhir Singh, Addl. A.G. Haryana.

S.S.SARON, J.

The petitioner by way of the present petition under Article 226/227 of the Constitution of India made a prayer for directing the respondents to constitute an appellate authority in terms of Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 ('Air Act'-for short) and also to take appropriate decision on his appeal (Annexure P-9).

Mr. Randhir Singh, Additional Advocate General, Haryana has submitted an order dated 14.04.2017 passed by the Additional Chief Secretary to Government of Haryana, Environment Department whereby in exercise of powers conferred by sub-section (1) read with sub section (2) of Section 31 of the Air Act, an Appellate Authority of the Haryana State Pollution Control Board, Panchkula has been constituted. A President and

two Members have been appointed as Appellate Authority.

Keeping in view the fact, that an Appellate Authority has been constituted, the present petition has been rendered infructuous and is dismissed being infructuous.

The petitioner may approach the Appellate Authority for deciding his appeal (Annexure P-9).

(S.S.SARON)
JUDGE

(DARSHAN SINGH)
JUDGE

April 17, 2017
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Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No