

(103)

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

CWP No.24993 of 2016

Date of decision : 30.05.2017

M/s Jayanti Timber

.....Appellant

Versus

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE S.S. SARON

HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Abhilaksh Grover, Advocate for petitioner.

Mr. Randhir Singh, Additional Advocate General, Haryana
for the respondents.

* * *

S.S. SARON J.

Mr. Randhir Singh, Addl. A.G. Haryana has placed on record an order dated 25.05.2017 passed by the Haryana State Pollution Control Board, Panchkula (respondent No.2) ('Board' – for short), whereby closure order issued against the unit M/s Jayanti Timber (petitioner) under Section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 ('Air Act' – for short) and Section 33-A of Water (Prevention & Control of Pollution) Act, 1974 ('Water Act' – for short) has been suspended with the following conditions : -

1. The unit will run only after getting the valid CTO (consent to operate) permission from the Board.
2. Regional Officer will decide the pending CTO of unit within 15 days.

3. The suspension of closure order issued prejudice the merit of CTO application and in case CTO application pending decided for refusal the closure order will be re-implemented.

Mr. Randhir Singh, Addl. A.G. Haryana has also placed on record communication dated 29.05.2017 from respondent No.2 Board to M/s Jayanti Timber Industries (petitioner) regarding grant of consent to operate, whereby the consent to operate has been granted as per specification/terms and conditions as mentioned therein.

Mr. Abhilaksh Grover, Advocate for petitioner submits that the civil suit filed by the petitioner against the department would be withdrawn. He also states that further litigation with the department shall also be withdrawn. However, there is a criminal complaint which is pending against one of the officer. It is submitted that the same would also hopefully be resolved amicably.

In view of above, nothing survives in the present writ petition and the same is accordingly dismissed as having been rendered infructuous.

(S.S. SARON)
JUDGE

(DARSHAN SINGH)
JUDGE

30.05.2017
sunil yadav

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No