

\$~16

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 10128/2017

M/S BOND STREET HOSPITALITY & EVENTS
PVT LTD

..... Petitioner

Through: Mr Virender Ganda, Sr. Advocate
with Mr Vipul Ganda, Mr Tarun
Mehta, Ms Shelly Khanna and Mr
Mayank Srivastav, Advocates
alongwith Mr Anil Somani, Director
of petitioner in person.

versus

DELHI POLLUTION CONTROL COMMITTEE
& ORS

..... Respondents

Through: Mr Sanjeev Ralli with Ms Harsha
Satyakam, Advocates for DPCC.
Mr Siddharth Dutta, Advocate for R-
2.
Mr Sunil Fernandes, Standing counsel
for BSES RPL with Mr Arnav
Vidyarthi, Advocate for R-3.
Mr Suneet Pushkarna and Mr
Devanshu Lahiry, Advocates for
Delhi Jal Board/R-4.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **15.11.2017**

CM No.41350/2017

1. Allowed, subject to all just exceptions.

W.P.(C) 10128/2017

2. Issue notice. Learned counsel for the respondents accepts notice.

3. The petitioner has filed the present petition, *inter alia*, seeking that directions be issued to respondent no.1 (Delhi Pollution Control Board Committee) to give consent to the petitioner to operate its restaurant at Hauz Khas Village, which was sealed. The petitioner also seeks that directions be issued for re-connecting the electricity and water connection.

4. The electricity connection and water supply to the petitioner's restaurant had been cut pursuant to the sealing action carried out by the concerned SDM at the instance of the DPCC. The said action was carried out on account of alleged non compliance of pollution laws by the petitioner. It is the petitioner's case that the petitioner has remedied the defects/shortcomings and has reapplied for DPCC's consent to re-open the restaurant.

5. In view of the above, the petition is disposed of by directing DPCC to consider the petitioner's application in accordance with law and having regard to the Office Order dated 02.08.2017, within a period of three weeks from today. Since the electricity and water connection had been cut on account of the sealing action, it is expected that if DPCC gives its consent for re-opening of the restaurant in question, the utility providers shall take the necessary steps for restoration of electricity and water connection in accordance with law.

6. The petition is disposed of with the aforesaid directions.

7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

NOVEMBER 15, 2017

MK