

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE S.V. BHATT**

WRIT PETITION No.37144 OF 2018

Order : (Per Hon'ble Sri Justice S.V. Bhatt)

Heard Smt. Jyothi Eswar Gogineni, learned counsel for the petitioners, Sri G. Ramachandra Rao, learned Standing Counsel for Andhra Pradesh Pollution Control Board and the learned Government Pleader for Industries and Commerce.

2. The petitioners assail the order dated 30.5.2018 of the Pollution Control Board made under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981. The consent for establishment granted under these Sections is an appealable order under Section 16 of the National Green Tribunals Act.

3. In view of the availability of an effective statutory remedy before the National Green Tribunal, we are convinced that exceptional circumstances are not made out in the case on hand for invoking the jurisdiction under Article 226 of the Constitution of India.

4. By leaving it open to the petitioners to work out their remedy of appeal, the Writ Petition is dismissed.

As a sequel thereto, miscellaneous applications, if any, pending in the Writ Petition shall stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V. BHATT, J

26th October, 2018.

pnb