

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

**CWP No.37618 of 2018
Date of decision: 18.12.2018**

Jatinder Nath Mathur

... Petitioner

Versus

State of Haryana and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Amit Kumar, Advocate, for
Mr. Harkesh Manuja, Advocate for the petitioner.

KRISHNA MURARI, C.J. (Oral)

Notice of motion.

Mr. Sharad Aggarwal, AAG, Haryana, present in Court, accepts notice on behalf of the respondents. Copies furnished.

In the nature of the order we propose to pass, no formal written statements/counter affidavits are indeed necessary, at this stage. Thus, with the consent of the learned counsel for the parties, the petition is being disposed of finally.

A writ in the nature of certiorari is prayed for to quash the order dated 07.12.2018 (Annexure P1), passed by respondent No.2, i.e. Haryana State Pollution Board, whereby the Piggery (Pig Farm) being run by the petitioner has been ordered to be closed owing to alleged violations of the Water and Air (Prevention & Control of Pollution) Acts, 1974 and 1981, respectively.

The limited grievance that the petitioner has is that: though in the order that is being assailed, it is mentioned that a show cause notice was

issued to the petitioner, but since no reply was filed thereto the authorities were constrained to pass the order of closer of the unit, but he asserts that neither any such notice was served upon the petitioner nor he was afforded any opportunity of hearing before such an extreme step was resorted to. Further, he submits that prior to the institution of the petition, the petitioner had even represented to the respondent-authorities, vide email dated 16.12.2018, as regards his grievance, and he is even ready to comply with all the formalities and obtain all the necessary sanction/approvals. But to no avail. On the contrary, owing the impugned order of closer the petitioner is subjected to an extreme hardship.

In response, learned counsel for the respondents submitted that let this petition be disposed of, at this stage, only with a direction to the respondent-authorities to consider and decide the representation of the petitioner within a specified time.

In the wake of the above, we dispose of this petition, without examining the matter on merits, at this stage, only with a direction to the respondent-authorities to deal with the representation of the petitioner, referred to above, and pass appropriate orders in accordance with law within a period of 10 days from today after affording an opportunity of hearing to the petitioner.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

18.12.2018
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO