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

+ **W.P.(C) 11052/2018**

GHAZIPUR WHOLESALER POULTRY MARKET

COMMISSION AGENT ASSOCIATION Petitioner

Through Mr Jasmeet Singh, Mr Hemant Jain,
Mr Siddharth Honda, Advocates.

versus

DELHI POLLUTION CONTROL

COMMITTEE & ORS

..... Respondents

Through Mr Sanjeev Ralli, Mr Bibhash Kumar
Sharma, Advocates for DPCC.

Mrs Avnish Ahlawat, Standing Counsel DAMB
for R-2 along with Mr N.K. Singh, Ms Palak,
Ms Aarushi, Advocates for R2.

Mr Eshita Baruah, Mr Gaurang Kanth,
Advocates for R3/EDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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13.11.2018

CM No. 43009/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 11052/2018 & CM No. 45146/2018

3. The petitioner has filed the present petition, *inter alia*, impugning an order dated 24.04.2018 passed by respondent no.1 (Delhi Pollution Control Committee) under the Air (Prevention & Control of Pollution) Act, 1981

and Water (Prevention & Control of Pollution) Act, 1974 declining the application for consent to operate made by the applicant (Delhi Agriculture Marketing Board). The petitioner has also filed an application seeking amendment of the writ petition to also impugn an order dated 24.04.2018 passed under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 and under Section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 directing closure of the shops in question. The petitioner also seeks to impugn an order dated 04.08.2018 passed by the SDM as consequence to the aforesaid orders.

4. Mr Ralli, learned counsel appearing for respondent no.1 points out that the petitioner has an alternate remedy of filing an appeal under the said enactments before the Appellate Authority.

5. In view of the above, the present petition is disposed of with liberty to the petitioner to avail of his alternate remedies under the respective statutes.

6. The pending application also stands disposed of.

VIBHU BAKHRU, J

NOVEMBER 13, 2018

pkv