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

+ W.P.(C) 2286/2014

ANAND PARBAT INDUSTRIAL AREA

CETP SOCIOETY (REGD.)

..... Petitioner

Through: Dr Sat Narain and Ms Roopa Paul,
Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Jasmeet Singh, CGSC for UOI.
Mr Anuj Aggarwal, ASC with Mr
Atul Goyal, Advocate for R-2 & 3.
Mr Satvik Varma and Mr Tanveer
Oberoi, Advocates for R-4/DSI IDC.
Mr S.K. Bhattacharya and Ms Seema
Sharma, Advocates for R-5.
Mr Sriansh Prakash, Advocate
alongwith Mr Dinesh Jindal, LO for
R-6.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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30.04.2019

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

- “a. issue appropriate writ of Mandamus or direction thereby directing the concerned authorities i.e. DSI IDC and Commissioner Industries (CETP Branch) to installed the CETP plant in the Anand Parbat Industrial Area;
- b. issue appropriate writ or direction to the Respondent no. 5 to handover the account books and remaining amount dully

collected on the name of Construction of CETP plant in the Anand Parbat Industrial Area in terms of the office orders dated 14.3.2008, issued by Joint Commissioner of Industries/ appropriate authority (CETP),”

2. It is the unanimous stand of respondent no.3, Commissioner, Industries; respondent no.4, DSIIDC; respondent no.5, M/s Anand Parbat Effluent Treatment Ltd.; and respondent no.6, Delhi Pollution Control Committee that a Central Effluent Treatment Plant (CETP) is not required in Anand Parbat Industrial Area. It is affirmed that the quantum of effluent required to be treated does not justify setting up of a CETP, and accordingly it has been directed that the same be carried in tankers to other CETPs. The learned counsel appearing for DPCC states that all industries in Anand Parbat Areas have now set up their own effluent treatment plant and the discharge from the said units is being checked regularly.
3. In view of the above, the relief that direction be issued to concerned authorities to install a CETP in Anand Parbat Industrial Area cannot be granted.
4. The petitioner has also sought directions to respondent no.5 to handover the amount collected, on account of construction of CETPs in Anand Parbat Industrial Area.
5. The learned counsel appearing for respondent no.5 states that the said amount has been deposited with the DSIIDC and, therefore, the petitioner is required to claim the same from DSIIDC, if at all. In view of the above, respondent no.5 cannot be directed to refund the amount.

6. The petition is, accordingly, disposed of.

7. It is clarified that it will be open for the petitioner to approach DSIIDC to seek accounts of the money deposited by respondent no.5 and to ascertain how the said funds have been utilised. All rights and contentions of the parties in this regard are reserved.

VIBHU BAKHRU, J

APRIL 30, 2019

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