

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
56 WRIT PETITION NO.14565 OF 2019**

M/S ANUSHKA INDUSTRIES THROUGH ITS PROPRIETOR
..PETITIONER
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

**WITH
WRIT PETITION NO.14567 OF 2019**

M/S DAYARAM PACKAGING THROUGH ITS PROPRIETOR
..PETITIONER
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

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Mr. Imran G. Durrani, Advocate for the Petitioners.
Mr. P. S. Patil, AGP for Respondents-State.
Mr. U. B. Bondar, Advocate for Respondent Nos.2 and 3.

...
**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.
DATED : 12th FEBRUARY, 2020.**

PER COURT:-

1. The petitioners are challenging the order dated 30.09.2019 issued by the respondents directing closure of the industry.

2. According to petitioners, the petitioners have consent to establish the industry.

3. According to the respondents, petitioners are also required to possess consent to operate to run industry. The petitioners have not applied for consent to operate.

4. The learned counsel for petitioners submits that subsequently on 17.10.2019, petitioners have applied to the respondents seeking consent to operate.

5. The learned counsel for petitioners submits that petitioners gave application for Plastic Registration under the Plastic Rules 2016 and also applied for grant of Extended Producers Responsibility (EPR).

6. As the application for consent to operate is pending with respondent-authority, the respondent-authority shall take decision upon the application filed by petitioners for consent to operate on its own merits considering all the relevant notifications. The decision shall be taken on the said application within a period of three (03) months.

7. The respondents shall also simultaneously take decision on the application of petitioners for Plastic Registration under the Plastic Rules 2016 and application for grant of Extended Producers Responsibility (EPR).

8. Writ Petitions are disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE