

**HON'BLE SRI JUSTICE A. RAJASHEKER REDDY
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO**

WRIT PETITION No.3354 of 2020

ORDER : (per ARR, J)

When the matter is taken-up for hearing, learned counsel for the petitioner as well as learned Standing Counsel for Telangana State Pollution Control Board represent that the issues involved in this writ petition are similar to issues agitated in W.P.No.24986 of 2019 and other writ petitions. Learned counsel for the petitioner placed before this Court the order passed by this Court in W.P.No.24986 of 2019 and Batch, dated 20.12.2019. The operative portion of the said order reads as under:

“5. However, learned counsel for the petitioners also agreed for disposal of the writ petitions with a direction to the Pollution Control Board to consider the application submitted by their Association and the petitioners be permitted to make individual applications seeking to exempt them from levy of 1% annual turnover and also payment of 0.5% of the previous year's annual turnover for remedial measures and to consider their applications already submitted for expansion of production capacity and pass appropriate orders.

6. Recording the said submissions of the learned counsel for the petitioners and the learned Standing Counsel for the Pollution Control Board, these writ petitions are disposed of, permitting the petitioners to make individual applications within a period of one week from today. On receipt of such applications, if any, made within the above

mentioned period, the respondent-Pollution Control Board shall consider the same along with the application filed by the Association within a period of four weeks thereafter. The respondent-Pollution Control Board also shall consider the applications of the petitioners to accord permission to expand their production capacity along with these applications. Till a decision is taken by the respondent-Pollution Control Board, it shall not take any coercive steps against the petitioners. No order as to costs.

2. Learned counsel for the petitioner submits that petitioner has not submitted representation and would require one week time for making a representation. Learned counsel also submits that the earlier order covers the request of the individual units to make application for expansion of the production capacity. But insofar as petitioner herein is concerned, it is not seeking any expansion. Therefore, the petitioner's grievance is confined to other aspects i.e. levy of 1% annual turnover and payment of 0.5% of the previous year's annual turnover for remedial measures.

3. Following the earlier orders, this writ petition is disposed of. The petitioner is granted one week time to make an application to the Telangana State Pollution Control Board. If such application is made, the respondent-Board shall consider the same within a period of four weeks from the date of receipt of such application. The respondent-Board shall not take coercive steps till a decision is taken on the application of petitioner, if such application is filed within one week. No order as to costs.

4. As a sequel to the disposal of the writ petition, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

P. NAVEEN RAO, J

19.02.2020.
Msr



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