

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

CWP NO.7687-2020
Date of Decision: 15.06.2020

Lakshay International Pvt. Ltd.

....Petitioner

Versus

State of Punjab and another

....Respondent

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present : Mr. Rohit Sud, Advocate,
for the petitioner.

Mr. Sahil Sharma, Deputy Advocate General, Punjab.

JASWANT SINGH , J.(Oral)

The petitioner, a private limited company is engaged in the business of leather tanning by use of both wet and dry processing in its plant situated at Jalandhar. The premises of the petitioner was ordered to be sealed by Punjab Pollution Control Board due to non-conforming to the norms laid down as per Schedule-1 (16) of the Environment (Protection) Rules, 1986 as also under the Water (Prevention and Control of Pollution) Act, 1974, in compliance of the direction passed by a Division Bench of this Court on 29.10.2019 (Annexure P-1), examining the violation of the norms by the tanneries operating at Jalandhar.

The present writ petition has been filed seeking a writ of mandamus for allowing the petitioner to operate its unit at least by use of

the dry processing by restoring the electricity and water connection in terms of the consent granted by the Punjab Pollution Control Board vide letter dated 22.05.2020 (Annexure P-4).

Upon notice, a short affidavit dated 11.06.2020 has been filed by Kuldeep Singh, Executive Engineer, Punjab Pollution Control Board, Regional Office, Jalandhar, which reads as under:-

"(1) By way of present writ petition the petitioner has sought writ in the nature of Mandamus directing the answering respondent to allow the petitioner to run its unit in view of consent to operate dated 22.05.2020 and to restore electric connection to the petitioner company.

(2) By an order dated 07.02.2020 this Hon'ble Court in LPA No.1924 of 2014 was pleased to direct that "in case the units are permitted to run under the supervision of Punjab Pollution Control Board, on the next date hearing, the Court may permit reconnection of water and electricity". The order has been annexed to the petition as Annexure P-2.

(3) As stated above, the answering respondent has already granted its consent to operate on 22.05.2020 to the petitioner, but electricity can be restored only after order of this Hon'ble Court as per order dated 07.02.2020 subject to the compliance of all terms and conditions mentioned and stated in consent to operate dated 22.05.2020".

At the time of hearing, it is not in dispute that the petitioner in the light of the consent letter dated 22.05.2020 (Annexure P-4) would be entitled to restoration of the electric and water connection for operating its unit by use of dry processing only.

Accordingly, the prayer to that limited account is accepted and the writ petition is disposed of accordingly.

The authorities concerned shall restore the electricity and water connection subject to clearance of all dues and fulfillment of formalities at the earliest.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

June 15, 2020
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whether speaking/reasoned: Yes/No
whether reportable: Yes/No