

112 (PROCEEDINGS THROUGH V.C.)

In the High Court of Punjab and Haryana at Chandigarh

.....

CWP-17268-2020

.....

Date of Decision:16.10.2020

M/s Ardee Infrastructure Pvt. Ltd.

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

.....

**Coram: Hon'ble Mr. Justice Augustine George Masih
Hon'ble Mr. Justice Ashok Kumar Verma**

.....

Present: Mr. Rajeev Anand, Advocate for the petitioner.

Ms. Shubra Singh, Additional Advocate General, Haryana
for the respondents.

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Augustine George Masih, J. (Oral):

Petitioner is aggrieved against order dated 30/03/2020
(Annexure-P.28) passed by Regional Officer, Gurgaon North Haryana State
Pollution Control Board (respondent No.3). Operative part thereof reads as
under:-

“In view of the above stated facts, the consent under Section 25
of the Water (Prevention & Control of Pollution) Act, 1974 and
under Section 21 of Air (Prevention & Control of Pollution)
Act, 1981 sought vide your above referred application, is
hereby refused due to the above shortcomings/incompletion.

In future, your unit would be discharging effluent into the
atmosphere at your own risk in violation of the above said Act

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and rendering yourself liable for legal action under Section 43/44 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 38/39 of Air (Prevention and Control of Pollution) Act, 1981.”

Admittedly, an appeal is maintainable against the aforesaid order. We, thus, proposed to grant liberty to the petitioner to approach the appellate authority along with his plea, if any, for stay of the order during the proceedings. In case such an appeal is filed within ten days from today, the appellate authority shall endeavour to decide the same at the earliest in any case not later than two months.

Till the date, appeal is filed, no coercive action shall be taken against the petitioner. It is clarified that the appellate authority shall be at liberty to consider the appeal as well as prayer, if any, for stay independently, on merits, thereafter.

Disposed of.

(Augustine George Masih)
Judge

(Ashok Kumar Verma)
Judge

October 16, 2020.

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No