

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7886 OF 2021

M/s. Lasa Supergenerics Limited & Anr. .. Petitioners
Versus
State of Maharashtra & Ors. .. Respondents

Dr. Milind Sathe, Senior Counsel a/w Mr. Bhushan Deshmukh, Ms.
Savita Nangare i/b. Atham Legal for Petitioners.
R. A. Salunkhe, AGP for Respondent-State.
Mr. Jitendra Jagtap for the Respondent Nos. 2 & 3.

**CORAM : A. A. SAYED &
ABHAY AHUJA, JJ**

DATED : 9th DECEMBER, 2021

P.C.:

Learned Senior Counsel for the Petitioner has tendered a copy of the order dated 23rd November, 2021 passed by the First Court in WP/7877/2021.

2. By consent of learned Counsel for the Petitioners and learned Counsel for the Respondent Nos. 2 & 3 - Maharashtra Pollution Control Board (MPCB), we dispose of the Petition by passing the following order:

ORDER

(i) The closure order dated 06.10.2021 of the Respondent No. 2-MPCB shall not be acted upon and it

shall be treated as Show Cause Notice. Letters dated 18.10.2021 and 21.10.2021 of the Petitioners shall be treated as Reply to the Show Cause Notice. The communication dated 14th / 15th October, 2021 of MIDC threatening disconnection of the electricity/water supply is set aside.

(ii) The Petitioners would be given a hearing by the Respondent No. 3 and appropriate orders shall be passed within a period of 4 weeks.

(iii) It shall be open to the Respondent No.3 to conduct such surprise inspection/visit at the Petitioners' unit to ascertain whether the deficiencies pointed out in the closure order dated 06.10.2021 stand removed or not. If, upon inspection and hearing the Petitioners, the Respondent No.3 is of the view that the closure order should be passed, he shall pass a reasoned order and intimate the same to the Petitioner. All contentions are left open.

3. The Petition to stand disposed of.

(ABHAY AHUJA, J.)

(A. A. SAYED, J.)