

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11970 of 2012

Reyaz Md. Latif and Others ***Petitioners***

Ms. Ruha Latif, Advocate

-versus-

State of Odisha and Others ***Opposite Parties***

Mr. Debakanta Mohanty, AGA and
M/s. S. K. Mishra and associates, Advocates for Opp. Party No.4

**CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK**

Order No.

**ORDER
20.07.2022**

05. 1. The villagers of Nimtur in District Keonjhar have approached this Court complaining of the discharge of untreated effluents by Opposite Party No.5 into the Karo river.
2. Although the notice was issued in this writ petition way back on 25th September 2012, till date notice has not even been served on the Opposite Party No.5, which is the main contesting party.
3. The State Pollution Control Board has filed its counter affidavit stating that the Consent to Operate issued to Opposite Party No.5 is valid upto 30st March, 2016. It is stated therein that “the industry is not discharging any untreated waste water into river Karo nor does it have any waste water outlet to river Karo.” It is stated that the unit is complying with the air pollution control measures. This affidavit of the Pollution Control Board was filed way back on 17th July, 2013 and till date no rejoinder has been filed thereto.

4. Learned counsel for the Petitioner contends that even today, the situation is no different. However, no affidavit to that effect has been filed. Nevertheless, the Court is of the view that if the villagers have any continuing grievance against the allegedly polluting activities of Opposite Party No.5, it will be open to them to approach the National Green Tribunal in accordance with law.

5. The petition is accordingly disposed of.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattnaik)
Judge

M. Panda

