



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9759 OF 2023

M/s Shalirex Polyvinyl Pvt. Ltd.

Thr. Chief Executive Officer

...Petitioner

Versus

Maharashtra Pollution Control Board

Thr. Member Secretary

...Respondent

...

Mr. T.R. Yadav i/b Mr. Prashant Bhat for the Petitioner.

Mr. S.B. Shetye for Respondent-State.

...

CORAM: NITIN JAMDAR &

SANDEEP V. MARNE, JJ.

DATE : 10 AUGUST 2023.

P.C.:

. The Petitioner has challenged the order dated 14 July 2023 issued by the Maharashtra Pollution Control Board, Regional Office, Pune. By the impugned order, Petitioner's Unit has been directed to be closed as following shortfalls were noticed:

- "1) You have not provided scrubber to the Boiler (20 Lac/Kcal) as per consent conditions.
- 2) You are using wood as a fuel to the Boiler instead of Briquette.
- 3) You have installed 04 Nos. of Oven (Thermal Oil Ovens) without any provisions of the air pollution control system.
- 4) You have not provided stack monitoring facility to the common slack of oven.
- 5) You have not included 06 nos. of process stacks in existing consent.

- 6) *You have not incorporated Hazardous Waste Category 33.1-Empty Contaminated Drums in the existing consent to operate.”*

2 The learned Counsel for the Petitioner states that Petitioner is in the process of rectifying the shortfalls and it would take around two weeks to correct the same. The learned Counsel states that after the period of two weeks, the Respondent-Board can inspect the premises and if the shortfalls have been rectified, they be directed to recall the impugned closure directions.

3 The learned Counsel for the Respondent-Board submits that closure directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under section 31A of the Air (Prevention & Control of Pollution) Act, 1981 were required to be issued because the Petitioner did not comply with the above mentioned requirements. If as stated by the Petitioner it complies with the above mentioned requirements then the Respondent-Board will, upon satisfaction, withdraw the closure order.

4 In view of this stand of the Respondent-Board, it is not necessary to pass any further order. Recording the above two positions, we dispose of the Writ Petition.

SANDEEP V. MARNE, J.

NITIN JAMDAR, J.