

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.3008 OF 2019

RDC Concrete (INDIA) Pvt. Ltd.
A private limited company,
Duly registered under the provisions
of the Companies Act, 1956, having
its registered office 701, Thane One,
Ghodbunder Road, Majiwada
Thane (West)-400 610

... Petitioner

Versus

1. The State of Maharashtra
through the Secretary
Department of Environment,
Government of Maharashtra
New Administrative Building,
Madam Cama Road, Mantralaya
Mumbai 400 001.

2. Maharashtra Pollution Control
Board,
having its regional office at,
Raikar Chambers 'A' Wing,
216, 2nd Floor, Deonar Gaon Road,
Near Jain Mandir, Govandi (East),
Mumbai-400 088.

... Respondents

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Mr. Atul Damle, Senior Advocate a/w Mr. Atul S. Singh for the
Petitioner.

Ms. Jyoti Chavan, AGP for Respondent No.1-State.

Ms. Jaya Bagwe for Respondent No.2.

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**CORAM : DHIRAJ SINGH THAKUR &
ARIF S. DOCTOR, JJ.**

DATE : 16 JUNE 2023

P.C.

. The Petitioner had challenged the Order dated 16 August 2019 issued by the Maharashtra Pollution Control Board (“MPCB”), whereby the operation of the Petitioner’s unit was directed to be stopped forthwith on account of non-compliance with the requirements of the consent to operate. By virtue of an interim Order dated 20 August 2019, a co-ordinate Bench of this Court was pleased to stay the Order impugned. However, now it is not in dispute that there was an inspection conducted on the unit of the Petitioner on 15 June 2023 and the Petitioner is stated to be running the unit in compliance with the all conditions of the consent to operate Order. This fact is not denied by learned Counsel appearing for Respondent No.2-MPCB

2 Be that as it may, we allow the Petition and set aside the Impugned Order dated 16 August 2019.

(ARIF S. DOCTOR, J.)

(DHIRAJ SINGH THAKUR, J.)