



CWP-12493-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-12493-2024 (O&M)

Date of decision : 25.07.2024

M/s Rainbow Environments Pvt. Ltd.

.....Petitioner

Versus

Punjab Pollution Control Board

....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Anand Chhibbar, Senior Advocate, with
Mr. Amitabh Tewari, Advocate, and
Mr. Satvik Bansal, Advocate,
for the petitioner.

Ms. Anu Pal, Advocate,
for the respondent.

SHEEL NAGU, CHIEF JUSTICE (Oral)

The petitioner has filed this petition assailing the order dated 10.04.2024 (Annexure P-1) passed by the respondent – Board, whereby consent to establish (NOC) applied by the petitioner Company has been rejected.

2. After hearing learned counsel for the rival parties at length, we are of the considered view that since Section 28 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 provide for an alternate efficacious statutory remedy for the petitioner to file an appeal before the Appellate Authority and get it adjudicated, this Court declines to enter into the merits of the case.



3. In view of the above, if the petitioner avails the remedy of appeal within a period of fifteen (15) days from today, the Appellate Authority is directed to decide the appeal filed by the petitioner as expeditiously as possible.
4. The Appellate Authority is expected to first decide the question of interim relief, if raised by the petitioner, and thereafter proceed further and decide the matter on merits.
5. With the aforesaid observations, the petition stands disposed of.
6. Pending application stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(VIKAS SURI)
JUDGE

July 25, 2024
ndj

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No