

Jvs.

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

WRIT PETITION NO. 663 OF 2025

JAYANT
VISHWANATH
SALUNKE

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M/s. OM JVM Infraprojects Pvt. Ltd.	}	Petitioner
versus		
Maharashtra Pollution Control Board	}	
& Ors.	}	Respondents

Mr. Mukesh M. Vashi with Mr. Panthi Desai
and Mr. Pratik T. i/b. M/s. M. P. Vashi &
Associates for petitioner.

Ms. Jaya Bagwe for respondent no. 1.

Ms. Swati Sagvekar for respondent no. 3.

Mr. O. A. Chandurkar, Additional
Government Pleader and Ms. Tanu N.
Bhatia, AGP for respondents 4 & 5.

**CORAM: ALOK ARADHE, CJ. &
BHARATI DANGRE, J.**

DATE: JANUARY 27, 2025

P.C.:

1. In this writ petition, the petitioner, *inter alia*, has assailed the validity of a composite order dated 10th December 2024 passed under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as "the Water Act") as well as section 31A of the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as "the Air Act").

2. Learned counsel for the petitioner has placed on record a decision of Hon'ble Supreme Court in the case of **Tamil Nadu**

Pollution Control Board vs Sterlite Industries (I) Ltd.¹ and has invited attention of this Court to paragraph nos. 36, 45 and 46 of the aforesaid decision in support of the submission that against a composite order passed under the Water and the Air Act, an appeal does not lie.

3. In view of the aforesaid submission, learned counsel for respondent no. 1 prays for and is granted 10 days' time to file reply affidavit.

4. List on **6th February 2024**.

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)

¹ (2019) 19 SCC 479