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

WRIT PETITION NO.663 OF 2025

M/s. Om JVM Infraprojects Pvt. Ltd. .. Petitioner

Versus

**Maharashtra Pollution Control
Board & Ors.**

.. Respondents

Mr. M. M. Vashi, Senior Advocate a/w Panthi Desai i/by 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, Addl. Govt. Pleader with Mrs. Tanu N.
Bhatia, AGP for respondent nos.4 and 5.

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**CORAM: ALOK ARADHE, CJ. &
M. S. KARNIK, J.**

DATE: 8th APRIL, 2025

P.C.:

1. In this petition, the petitioner has assailed the validity of the order dated 10th December, 2024 passed in exercise of powers under Section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 as well as under Section 31-A of the Air (Prevention and Control of Pollution) Act, 1981 by which the petitioner has been directed to close down its Ready Mix Concrete Plant.

2. We have heard the learned counsel for the parties at length and perused the record. From the perusal of the impugned order it is transpired that the aforesaid order has

been passed in compliance of the direction dated 23rd October, 2024 passed in Original Application No.201 of 2023 by the National Green Tribunal (NGT).

3. Learned senior counsel for the petitioner, during the course of his submissions, pointed out that several other industries had approached the NGT, wherein the NGT clarified that the directions contained in the order dated 23rd October, 2024 passed by it in O.A. No.201 of 2023 could not be applied to the case of industries who had approached the NGT. It is further submitted that petitioner be also granted liberty to approach the NGT seeking clarification of the order dated 23rd October, 2024 passed in O.A. No. 201 of 2023.

4. In view of the aforesaid submission, the writ petition is disposed of with the liberty as prayed for.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)