



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 7584 OF 2022

(Gajanan s/o Balisaoji @ Baliram Barapatre Vs. The Municipal Council Khapa and ors)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.R. Ingole, Advocate for petitioner,
Mr. S.M. Puranik, Advocate for respondent Nos. 1 and 2.
Mr. P. Mehta, Advocate for respondent No. 3.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATED : 27-02-2025

The petition questions the communication dated 21.11.2022, issued by the respondent No. 1, by which the petitioner has been directed to close down the chilly grinding machine with immediate effect. The reason for such a direction, is stated to be the communication dated 2.11.22 issued by the Pollution Control Board - respondent No. 2 directing such closure. However, perusal of the said communication dated 2.11.2022, indicates that there is no such direction for such closure indicated therein. All that is said in the said communication is, that the matter is within the purview of the local body, who should be the Municipal Council should take appropriate action as applicable. In that view of the matter, impugned communication dated 21.11.2022 (p2) cannot be sustained and is hereby quashed and set aside. Needless to say that respondent No. 1 shall be free to take any action against the petitioner in terms of the law as applicable. The petition is disposed of accordingly.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

