



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CWP-6502-2024 (O&M)

DATE OF DECISION : 4th FEBRUARY, 2025

Major Singh and others

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM : HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL

* * *

Present : Mr.Swarn Tiwana, Advocate for the petitioners.

Mr.Vipin Pal Yadav, Additional Advocate General, Punjab
for respondents No.1 to 3 and 5 to 8.

Mr.Kunal Vinayak, Advcoate for respondent No.4.

Mr.Atul Gaur, Advocate for respondents No.10 and 11.

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SHEEL NAGU, C.J. (Oral)

1. The petitioners, who are residents of a particular village, where respondent No.9 has a functional furnace stock factory converting scrap into metal, allege that air and water pollution is being caused by the said factory.

2. The respondent No.9 is before this Court with a reply accompanied by a document – Annexure R-9/3, which is the consent granted by the Government of India, Ministry of Environment, Forest and Climate Change (issued by the State Environment Impact Assessment Authority (SERIAA), Punjab).



3. The learned counsel for the petitioner relies upon the decision of the Apex Court in **Whirlpool Corporation vs. Registrar of Trade Marks, Mumbai, 1999(3) SCR 512** to contend that the principles of natural justice are violated and, therefore, the powers of judicial review can very well be exercised despite availability of alternative remedy.
4. However, after going through the records and considering the argument of the learned counsel for the petitioner, it does not appear that any principles of natural justice were violated, as before grant of consent vide Annexure R-9/3, detailed procedure of seeking objections from all stake holders was followed and the objections were considered.
5. If the petitioners are still aggrieved, they have remedy of appeal before the Appellate Authority under the relevant statute or approaching the appropriate Tribunal, therefore, we decline to interfere in the matter.
6. Disposed of with aforesaid liberty.

(SHEEL NAGU)
CHIEF JUSTICE

04 February, 2025
‘gian’

(SUMEET GOEL)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>