

2025.PHHC.175483-DB



CWP-37570 of 2025

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

CWP-37570 of 2025

Date of decision: 17.12.2025

SOCIETY FOR DEVELOPMENT OF HUMAN RESOURCE

.....Petitioners

V/S

STATE OF HARYANA AND OTHERS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY, JUDGE**

Present:- Mr. Manoj Chauhan, Advocate for the petitioner (through V.C.)

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. Present petition has been filed assailing the impugned order dated 01.10.2025 (Annexure P-13) passed by the Appellate Authority constituted under the Air (Prevention and Control of Pollution) Act, 1981 (for short 'The Act of 1981) and the Water (Prevention and Control of Pollution) Act, 1974, (for short 'The Act of 1974) Chandigarh, while adjudicating an appeal preferred by the respondent no. 4 u/s 28 of the Act of 1974.

2. By the aforesaid impugned order dated 01.10.2025, the Appellate Authority rejected the objection raised by the petitioner herein (respondent No.4 in the appeal), however, the application for impleadment filed by the petitioner under Order I Rule 10 of the Code of Civil Procedure, 1908 was allowed, but the objection to the maintainability of appeal was rejected. Consequently, the appeal was admitted by condoning the delay, subject to payment of costs of Rs.10,000/- by respondent no.4.

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3. The appeal pending before the Appellate Authority primarily challenges the order of closure dated 26.12.2024 passed by the Haryana State Pollution Control Board (Annexure P-5).
4. A bare perusal of the said order reveals that the dispute pertains to issues relating to water pollution/air pollution.
5. In the considered opinion of this Court, any order passed u/s 28 of the Act of 1974, whether interlocutory or final in nature, is amenable to challenge u/s 33B(a) of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31B of the Air (Prevention and Control of Pollution) Act, 1981, as the case may be.
6. Furthermore, the petitioner is also at liberty to seek recall of the impugned order dated 01.10.2025 (Annexure P-13) before the Appellate Authority, since the appeal is still pending consideration.
7. In view of the above, this Court refrains from entering into the merits of the matter, as the dispute essentially falls within the specialised domain of environmental and air/water pollution laws and an efficacious alternative statutory remedy is available to the petitioner.
8. With the aforesaid liberty, the present petition is disposed of, without expressing any opinion on the merits of the case.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

17.12.2025

Kamal Gandhi

KAMAL GANDHI
2025.12.18 16:41
I attest to the accuracy and
integrity of this document

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