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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 832/2025 and CM APPL.4108/2025

ASHOK KUMAR DUSAD

.....Petitioner

Through: Mr. Himanshu Bhushan and Ms.
Shagun Srivastava, Advs.

versus

DELHI POLLUTION CONTROL COMMITTEE AND ORS

.....Respondents

Through: Mr. Kush Sharma, Mr. Nishchaya
Nigam and Ms. Vagmi Singh,
Advocates for DPCC.

Mr. Moksh Arora and Mr. Santosh
Ramdurg, Advs. for R-3.

Ms. Sangeeta Bharti, SC, Mr.
Mukund Gupta and Ms. Manya
Sharma, Advs. for R-4/DJB (through
v/c)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

28.01.2025

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1. The present petition assails:

(i) the revocation / withdrawal of Consent to Operate dated
08.01.2025 being F. No. DPCC/(10)/(10)/(48)/Lg-23/1714-1718
issued by the respondent no.1;

(ii) the directions for closure dated 08.01.2025 being F.No.
DPCC/(10)/(10)/(48)/Leg-23/1719-1725 issued by the respondent
no.1;

(iii) order for imposition of Environmental Compensation dated
08.01.2025 being F.No. DPCC/(10)/(10)/(48)/Leg-23/1726-1730,



issued by the respondent no.1.

2. Vide order dated 22.01.2025, it was, *inter-alia*, recorded as under:

“4. The impugned revocation / withdrawal of the order records that:

(i) during the inspection, the Effluent Treatment Plant (ETP), installed in the petitioner’s unit was found operating, however, logbook maintained for the ETP reflects that the treatment of trade effluents (16-18 KLD) were more than the trade effluents permitted to be discharged (3 KLD) as per the “consent to operate” dated 29.08.2023.

(ii) that the flow meters installed at the inlet and outlet of ETP were found installed but logbooks in respect thereof were not maintained.

(iii) that there were five diesel generator sets installed in the premises of the petitioner whereas in terms of the consent to operate issued by the DPCC on 29.08.2023 only two diesel generators were permitted.

5. After some hearing, learned counsel for the respondent no.1, who appears on advance notice, submits that a fresh inspection shall be carried out to ascertain whether the petitioner is complying with the conditions mentioned in the “consent to operate” dated 29.08.2023. It is agreed that the requisite inspection shall be carried out within a period of two days from today. Let the inspection report be placed on record before the next date of hearing.”

3. Learned counsel for respondent no.1 submits that upon inspection being carried out in pursuance to the aforesaid order passed by the Court, the petitioner was found to be fully compliant with the conditions enumerated in the “consent to operate” dated 29.08.2023.

4. Learned counsel for respondent no.1 further submits that in the light of outcome of the aforesaid inspection, the said respondent shall re-examine the matter, and if necessary, recall/ modify the impugned order/s dated 08.01.2025. It is submitted that the needful shall be done within a period of one week from today.

5. In view of the aforesaid, learned counsel for the petitioner does not



wish to press the present petition. The same is accordingly disposed of.

JANUARY 28, 2025/cl

SACHIN DATTA, J