IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 7067 of 2026

M/s Ardeer Hospital Trust, having its registered office at IE Gomia, PO & PS-Gomia, Dist-Bokaro, Jharkhand, through its Chief Medical Officer/ Authorized Representative Prasant Sekhar Patra, Son of shri Radhashyam Patra, Permanent Resident of MIG-61, Rajib Nagar, Bhubaneshwar, Aiginia, PO-Aiginia, PS-Aiginia, Dist-Khorda, Odisha.

... ... Petitioner(s)

Versus

1. State of Jharkhand.
2. Jharkhand State Pollution Control Board, Ranchi, having its office at Township Administration (TA) Building, HEC Complex, PO & PS-Dhurwa, Ranchi, Jharkhand through its Chairman Cum Managing Director / Member Secretary.
3. Divisional Head Dhanbad, Jharkhand State Pollution Control Board, having its office at Township Administration (TA) Building, HEC Complex, PO & PS-Dhurwa, Ranchi.
4. Regional Officer, Jharkhand State Pollution Control Board, having its office at H.I.G.-1, Sardar Patel Nagar, Hirapur, PO & PS-Hirapur, Dist-Dhanbad.
5. Civil Surgeon, Gomia, Bokaro, PO + PS-Bokaro, Dist-Bokaro.

... ... Respondent(s)

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Soumitra Sen, Sr. Adv.
Mr. Vikas Pandey, Adv.
Mr. Janak Kr. Mishra, Adv.

For the Respondent(s) : Mr. Ashutosh Anand, AAG-III
Mr. Shaantanu Gupta, AC to AAG-III

For the JSPCB : Mrs. Richa Sanchita, Adv.
Ms. Risheeta Singh, Adv.

03/ 16th September, 2026

1. Heard the learned senior counsel appearing on behalf of the petitioner assisted by Mr. Vikash Pandey, learned counsel appearing on behalf of Jharkhand State Pollution Control Board and learned Additional Advocate General-III appearing on behalf of the State.

2. In this writ petition, the petitioner had challenged Annexure-10 which is Memo No. JSPCB/HO/RNC/CTO-19551178/2026/63 dated 20.08.2026, by which the Jharkhand State Pollution Control Board has rejected the application of the petitioner for consent to operate and has directed the unit not to operate any further.

3. After going through the impugned order at Annexure-10 dated 20.08.2026, I find that there are two grounds on which the impugned order has been passed.

4. The first ground is that the copy of the registration under Clinical Establishment Act was not produced at the time of applying for the consent to operate and the second ground is that the details of fees submitted and the period for which the application has been claimed for, has not been mentioned.

5. The impugned order also suggests that despite several opportunities, the petitioner had not submitted the said documents.

6. At this stage, I am not entering on the issue as to whether on the given facts it was appropriate to cancel the application or not but now it is admitted that the provisional certificate of registration of the Clinical Establishment being Provisional Registration No. JH/BOK/HSP/2025/0051 has been issued in favour of the petitioner. The date of issue is 06.07.2026 and is valid up to 05.07.2027. Thus, as on date, the first ground which is of non-providing the registration of the Clinical Certificate Act is not there and the defects as such has been cured.

7. So far as the second ground is concerned, which is submission of fee, the learned senior counsel submits that the fee has also been deposited. He refers to page No.26 of the supplementary affidavit dated 14.09.2026.

8. Thus, considering the fact that the main two grounds of rejection has been cured by the petitioner, the petitioner is directed to re-apply for the same immediately and the respondents are directed to process the same and pass a necessary order within two weeks.

9. In the meantime, since this is a hospital and as there are no other similar facilities nearby and the same is also a unit under Section 47 of the Factories Act and all the defects as on date stands cured, the Jharkhand State Pollution Control Board will allow the petitioner to provisionally resume their hospital activities with immediate effect.

10. With the aforesaid observation, this writ petition is **disposed of.**

(ANANDA SEN, J.)

16th September, 2026
S.K.D/CP-2

Uploaded on 18/09/2026