HC-KAR

NC: 2026:KHC:61813-DB
WP No. 25524 of 2026

CNR: KAHC010567882026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO. 25524 OF 2026 (GM-POL)

BETWEEN:

1. M/S HIMALAYA STEEL INDUSTRIES
A PROPRIETARY CONCERN
HAVING ITS UNIT AT PLOT NO.100 P1
KIADB INDUSTRIAL AREA
HUMNABAD, DISTRICT BIDAR
REPRESENTED BY ITS PROPRIETOR
SRI MOHAMMED KHAJA SHAH
BIDAR - 585 330

2. M/S KGN INDUSTRIES
HAVING ITS UNIT AT PLOT NO.100 P1
KIADB INDUSTRIAL AREA
HUMNABAD, DISTRICT BIDAR
REPRESENTED BY ITS
PROPRIETOR/PARTNER
MRS SAHERA BEGUM
BIDAR – 585 330

…PETITIONERS

(BY SRI AMEETKUMAR DESHPANDE, SENIOR ADVOCATE A/W
SRI SHRIHARSHA R HARWAL, ADVOCATE)

Digitally signed by VEERENDRA KUMAR K M
Location: High Court of Karnataka

AND:

1. THE STATE OF KARNATAKA
   REPRESENTED BY ITS PRINCIPAL SECRETARY
   DEPARTMENT OF HOME
   VIDHANA SOUDHA
   BENGALURU - 560 001

2. THE DEPUTY COMMISSIONER AND
   DISTRICT COLLECTOR
   BIDAR DISTRICT, BIDAR - 585 401

3. THE DEPUTY SUPERINTENDENT OF POLICE
   HUMNABAD SUB-DIVISION
   HUMNABAD, BIDAR - 585 330

4. KARNATAKA STATE POLLUTION CONTROL BOARD
   REPRESENTED BY ITS MEMBER SECRETARY
   "PARISARABHAVAN", NO.49
   CHURCH STREET, BENGALURU - 560 001

5. THE ENVIRONMENTAL OFFICER
   KARNATAKA STATE POLLUTION CONTROL BOARD
   REGIONAL OFFICE, BIDAR - 585 401

6. THE TAHSILDAR
   HUMNABAD TALUKA
   BIDAR - 585 330

…RESPONDENTS

(BY SMT. NILOUFER AKBAR, AGA FOR R-1 TO R-3 & R-6; SRI A. MAHESH CHOWDHARY, ADVOCATE FOR R-4 & R-5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, QUASHING THE

IMPUGNED EX-PARTE ORDER BEARING FILE NO. DC-BDR-28026/2/2026-BDR-MAG-BIDAR-DC DATED 10.08.2026 (ANNEXURE-E) PASSED BY RESPONDENT NO.2, IN SO FAR AS IT CONCERNS THE PETITIONERS & ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioners have filed the present petition impugning the order dated 10.08.2026 [**impugned order**] passed by respondent No.2, Deputy Commissioner, Bidar [**DC**], whereby, in exercise of powers under Section 152(a) of the Bharatiya Nagarik Suraksha Sanhita, 2023 [**BNSS**], certain industrial units, including the petitioners' undertakings, were restrained from operating and their operations were suspended till further orders.

2. The learned counsel appearing for the petitioners submits that the Karnataka State Pollution Control Board [**KSPCB**] has since inspected the petitioners' units and has submitted its report

and also made its recommendation. He states that the present petition be disposed of with a direction to the DC to consider the said report and the recommendation.

3. Since, by its very nature, the impugned order is a temporary order, we consider it apposite to dispose of the present petition with direction that the concerned DC shall also take into consideration the report and recommendation of the KSPCB, along with other relevant material, while taking a final decision.

4. All rights and contentions of the parties are reserved.

5. The petition is disposed of with the aforesaid terms.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(K.S. HEMALEKHA)
JUDGE

KMV
List No.: 1 Sl No.: 11