IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16797 of 2026

Date of Decision: 02.11.2026

Cement Corporation of India Limited .…….Petitioner

Versus

Union of India & others … Respondents

Coram:
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting? [1]

For the Petitioner:	Mr. K.D.Shreedhar, Senior Advocate with Ms. Shreya Chauhan, Advocate.
For the Respondents:	Mr. Balram Sharma, Deputy Solicitor General of India with Mr. Rajeev Sharma, Advocate, for respondent No.1.
	Ms. Oshin Anand Chauhan, Advocate, for respondents No.3 and 4.
	Mr. Virender Singh Kanwar, Advocate, for respondents No.5 and 6.

Sandeep Sharma, Judge(oral):

Being aggrieved and dissatisfied with order dated 08.09.2026 passed by the Himachal Pradesh State Pollution Control Board (Annexure P-12), whereby manufacturing Unit of the petitioner was ordered to be closed in terms of inspection carried out by Central Pollution Control Board on 22.01.2018, petitioner has approached this Court in the instant proceedings and re-inspection on 16.10.2025, praying therein for following main reliefs:

> "a). Issue a writ of certiorari quashing and setting aside the direction dated 19.06.2026 issued by Respondent No. 2 (Annexure P-10)

[1] *Whether the reporters of the local papers may be allowed to see the judgment?*

and the consequential closure order dated 08.09.2026 issued by Respondent No. 3 (Annexure P-12), insofar as they direct closure of the Petitioner's Rajban unit, revocation of its Consent to Operate and disconnection of electricity supply;

b). Quash the consequential action taken pursuant to the aforesaid orders, including the action recorded in the Joint Closure Report dated 23.09.2026 (Annexure P-16);

c). Direct Respondent Nos. 2 and 3 to conduct a fresh inspection and technical assessment of the unit, consider the Petitioner's compliance material, including the reports annexed as Annexures P-8 and P-9, identify any deficiency that remains to be addressed, afford the Petitioner an opportunity of hearing and pass a reasoned order within a time fixed by this Hon'ble Court;

d) Direct the respondents to consider and decide the Petitioner's representations dated 21.09.2026 and 23.09.2026 (Annexures P-14 and P-15) by a reasoned order within a time fixed by this Hon'ble Court."

2. Before reply, if any, could be received from the respondents, learned counsel representing the petitioner made available communication dated 26.10.2026, issued under the signatures of Chairman, Central Pollution Control Board, to state that closure direction issued under Section 5 of the Environment (Protection) Act, 1986 in the case of the petitioner has been revoked, subject to certain compliances and as such, consequential order dated 08.09.2026 passed by Himachal Pradesh State Pollution Control Board (Annexure P-12), is also not sustainable and accordingly, needs to be quashed.

3. While putting in appearance on behalf of respondent No. 3 and 4, Ms. Oshin Anand Chauhan, Advocate, fairly states that on

account of passing of order dated 26.10.2026 passed by Central Pollution Control Board, order dated 08.09.2026 passed by HP State Pollution Control Board is not sustainable and as such, this Court may pass appropriate orders, but necessary directions may be issued to the petitioner to comply with the conditions contained in the revocation order dated 26.10.2026 passed by the Central Pollution Control Board.

4. Having perused communication dated 26.10.2026 issued by Central Pollution Control Board vis-a-vis order dated 08.09.2026 passed by HP State Pollution Control Board, this Court finds merit in the submission of counsel for the petitioner.

5. Consequently, in view of the above, the present petition is allowed and impugned orders dated 19.06.2026 and 08.09.2026 (Annexures P-10 and P-12) are quashed and set aside, with a direction to the petitioner to ensure that conditions as contained in order dated 26.10.2026 are complied with, failing which, Central Pollution Control Board and HP State Pollution Control Board shall be at liberty to take necessary action in accordance with law. Pending applications, if any, also stand disposed of.

(Sandeep Sharma),
Judge

November 02,2026
(shankar)