

2026.PHHC.039328-DB



CWP-7562 of 2026

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

CWP-7562 of 2026

Date of decision: 13.03.2026

**M/S CHAHAL FOODS THROUGH ITS SOLE PROPRIETOR SH.  
SHAMSHER**

.....Petitioners

V/S

**STATE OF HARYANA, THROUGH ITS PRINCIPAL SECRETARY  
DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE**

...Respondents

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

**Present:- Mr. Kawalpreet Singh Virk, Advocate for the petitioner.  
Mr. Neeraj Gupta, Addl. Advocate General, Haryana**

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**SHEEL NAGU, CHIEF JUSTICE (Oral)**

1. Learned counsel for the petitioner has challenged the order of closure dated 14.11.2025 (**Annexure P-7**), which, according to the petitioner, has not been passed against the petitioner's unit/poultry farm.

2. The further challenge is laid to the show cause notice dated 16.02.2026 (**Annexure P-10**), whereby consent to operate the petitioner's unit/poultry farm under Sections 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Sections 21/22 of the Air (Prevention and Control of Pollution) Act, 1981 has been refused.

3. The challenge is further laid to Annexure P-11, which is the rejection of the representation (**Annexure P-9**) submitted by the petitioner

pursuant to the show cause notice dated 16.02.2026 (**Annexure P-10**).

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4. It is not in dispute that the final order pursuant to the show cause notice has not yet been passed.
5. Learned counsel for petitioner submits that the present case is a classic example of mistaken identity.
6. After hearing learned counsel for rival parties, we are of the considered view that the question of mistaken identity is also beset with disputed questions of fact, which ought not to be gone into while invoking writ jurisdiction under Article 226 of the Constitution of India, especially in the face of an available but unavailed alternative remedy under the Air Act/Water Act and the National Green Tribunal Act.
7. In view of 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. The petitioner is at liberty to avail the aforesaid remedy under the relevant statutes.
9. With aforesaid liberty, present petition stands disposed of, without expressing any opinion on the merits of the case.

**(SHEEL NAGU)**  
**CHIEF JUSTICE**

**(SANJIV BERRY)**  
**JUDGE**

**13.03.2026**

Kamal Gandhi

KAMAL GANDHI  
2026.03.16 12:38  
I attest to the accuracy and  
integrity of this document

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