



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-13613-2026 (O&M)

Trident Limited

... Petitioner

Versus

State of Punjab & another

... Respondents

Reserved on : 4th May, 2026

Pronounced on : 8th May, 2026

Uploaded on : 8th May, 2026

*Whether only operative part of the judgment is
pronounced or the full judgment is pronounced:*

full judgment.

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

Argued by: Ms. Munisha Gandhi, Senior Advocate (arguing counsel) with
Mr. Viraj Gandhi and Mr. Adarsh K. Dubey, Advocates
for the petitioner.

Mr. Maninderjit S. Bedi, Advocate General Punjab
(arguing counsel) with
Mr. Salil Sabhlok, Sr. Dy. Advocate General Punjab
and Ms. Kavita Joshi, Advocate
for the respondent/State.

Mr. D.S. Patwalia, Senior Advocate (arguing counsel) with
Mr. A.S. Chadha, Advocate for respondent No.2/PPCB.

SHEEL NAGU, CHIEF JUSTICE

CM-7409-2026

In view of the averments made in the application, the same is
allowed, as prayed for, and the documents (Annexures P-11 to P-16) are
taken on record, subject to all just exceptions.

CWP-13613-2026

1. This petition invoking writ jurisdiction of this Court under

Article 226 of the Constitution of India seeks a direction restraining the

respondents from taking coercive steps against the petitioner Company pursuant to the raid conducted on 30.04.2026 by a team of officers of respondent No.2/Punjab Pollution Control Board (PPCB). It is submitted that no prior notice was afforded to the petitioner before the said raid. A further direction is sought to send the seized samples to a Central Testing Laboratory outside the State of Punjab and not to any Laboratory within the State of Punjab.

1.1 The principal ground taken for seeking the aforesaid relief is of mala fides founded on the factual matrix that the Chairman Emeritus of the petitioner Company, who was a Rajya Sabha member from Punjab belonging to Aam Aadmi Party, switched his political allegiance by joining Bhartiya Janta Party. It is, thus, contended that the entire raid conducted on 30.04.2026 is motivated by political vendetta rather than genuine environmental concerns thereby vitiating the powers so exercised.

2. On 01.05.2026, when the matter was taken up for the first time, Mr. D.S. Patwalia, Senior Advocate entered appearance (virtually) on behalf of respondent No.2/Board and assured this Court that no coercive steps would be taken till Monday, the 4th of May, 2026.

2.1 This Court listed the matter on 04.05.2026, when it was heard and reserved for orders.

3. Learned senior counsel for respondent No.2/Board has submitted a compilation of various decisions passed by the Apex Court as well as this Court, along with the Punjab Water Prevention and Control of Pollution Rules, 1977 (for short, 'the Punjab Water Rules') as well as the Water (Prevention and Control of Pollution) Act, 1974 (for short, 'the Water Act').

4. The first and foremost ground of objection of the respondent No.2/Board is by relying upon the order dated 23.01.2026 rendered in **CWP-940-2026 titled ‘The Hind Samachar Limited & another vs. State of Punjab & others’**, where this Court had relegated the petitioner therein to avail alternative remedy of approaching the National Green Tribunal (NGT) u/s 33(B)(c) of the Water Act.

4.1 Learned senior counsel for respondent No.2/Board has further relied upon rule 32(6) of the Punjab Water Rules, which provides thus:-

“Rule – 32 Directions. –

XXXX XXXX XXXX
XXXX XXXX XXXX

(6) Where the Board is of the opinion that in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the direction, it may for reasons to be recorded in writing, issue direction without providing such opportunity.”

By relying upon the aforesaid rule 32(6) of the Punjab Water Rules, it is contended that where likelihood of a grave injury to the environment is palpable, then the need to provide prior opportunity of being heard can be waived.

4.2 Further reliance in this regard is placed on the provision of emergent powers available to the Board u/s 32 of the Water Act 1974, under which the Punjab Water Rules 1977 are framed.

5. After hearing learned counsel for the rival parties, this Court is not inclined to enter into the merits of the dispute raised herein.

5.1 However, an issue which deserves consideration is that of the timing of the raid conducted on 30.04.2026 by a team of officers of

respondent No.2/Board, which is in close proximity to the switching of political allegiance by Sh. Rajinder Gupta (Chairman Emeritus of the petitioner Company) from Aam Aadmi Party to Bhartiya Janta Party along with six other members of Rajya Sabha on 24.04.2026.

5.2 By applying the *wednesbury* principle, the apprehension in the mind of the petitioner Company that the raid conducted by respondent No.2/Board on 30.04.2026 stems from political vendetta, appears reasonably palpable.

5.3 As such, this Court is of the considered view that since respondent No.2/Board has failed to show any emergent situation where any stream, well, land or environment is being polluted by poisonous effluents, it would be appropriate to allow respondent No.2/Board to take coercive steps only after affording reasonable opportunity of 30 days to the petitioner Company for rectifying any minor deficiencies.

5.4 The petitioner Company is at liberty to approach NGT u/s 33(B)(c) of the Water Act, in case any coercive steps are taken by respondent No.2/Board u/s 33-A of Water Act.

6. With the aforesaid observations and liberty granted to the petitioner, the petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

May 8, 2026
rps

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