

Serial No. 16
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Supp. Cause List.
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**HIGH COURT OF JAMMU & KASHMIR AND LADAKH**  
**AT SRINAGAR**

WP(C) No. 2511/2024

CM No. 6781/2024

National Stone Crusher

**...Petitioner(s)**

Through: Mr. Nisar Ahmad, Adv.

**VERSUS**

UNION TERRITORY OF J AND K AND ORS.

**...Respondent(s)**

Through: None

**CORAM:**

**HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE**

**ORDER**

**31.10.2024.**

In the instant petition, petitioner herein is aggrieved of order No. 189 JK PCC of 2024 dated 15-10-2024, whereby the respondent No. 5 in exercise of powers vested in him under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 has directed closure of the Unit of the petitioner.

It is stated by the learned counsel for the petitioner that the impugned order has been passed without issuing any prior notice to the petitioner.

Mr. Nisar Ahmad, learned counsel for the petitioner states that though the unit of the petitioner is operating since 1997 with the consent of the Pollution Control Board till June, 2023 but the same has not been extended for want of

requisite documents in terms of SO 60 of 2021 dated 23<sup>rd</sup> February, 2021. It is further stated that the petitioner has already submitted the requisite documents as required in terms of SO and the said documents have also been acknowledged by the Tehsildar B. K. Pora and respondent No. 2 but without considering the communication dated 06-06-2024, impugned order has been passed by the respondents.

Notice.

Mr. Furqan Sofi, learned GA accepts notice on behalf of the respondents. He seeks and is granted four week's time for filing objections.

In the meanwhile, subject to objections, respondents are directed to consider the requisite documents duly submitted by the petitioner in terms of communication dated 06-06-2024 and to pass fresh speaking order within a period of two weeks from the date of passing of this order, till then impugned order bearing No. 189 JK PCC of 2024 dated 15-10-2024 issued by the respondent No. 5 be stayed.

(Moksha Khajuria Kazmi)  
Judge

**SRINAGAR**  
**31.10.2024**  
*Sakeena*