

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

**WP(C) 3155/2025
CM(8482/2025)**

Shahzada.

...Petitioner(s)

Through: Mr. G. A. Lone, Advocate.

Vs.

**Jammu And Kashmir Pollution Control
Committee Th. Its Member Secretary &
Ors.**

...Respondent(s)

Through: Mr. Alla Ud Din Ganai, AAG.

CORAM:

Hon'ble Mr. Justice Wasim Sadiq Nargal, Judge.

ORDER

17.12.2025

01. Mr. G. A. Lone, learned counsel appearing on behalf of the petitioner, has drawn the attention of the Court to a communication dated 27th March, 2025, issued by the Regional Director, J&K Pollution Control Committee, Kashmir, which reveals that although the petitioner had applied through online mode for grant of Consent to Operate afresh, the Committee after examining the report submitted by the Divisional Officer, Pollution Control Committee, Srinagar, found the case of the petitioner to be incomplete vis-à-vis the usage charges of LAWDA.

02. Learned counsel further submits that the aforesaid communication issued way back on 27th March, 2025, was duly replied by the petitioner, whereby she tendered her apology for the inadvertent non-compliance on her part for the reason that her husband was undergoing medical treatment during the relevant period and owing to the deteriorating health of the husband of the petitioner, the

requisite formalities could not be completed in time, which resulted in non-issuance of Consent to Operate in favour of the petitioner, which ultimately led to the passing of the order dated 12th August, 2025 vide No. 149 JKPCC of 2025, which is impugned in the present writ petition.

03. Mr. G. A. Lone, the learned for the petitioner submits that the petitioner undertakes to deposit the requisite arrears before the competent authority i.e. LAWDA within a period of two weeks from today and prays that till such time, the order impugned may not be given effect to.

04. Heard learned counsel for the petitioner(s) at length and perused the material on record.

05. *Prima facie* case for indulgence is made out.

06. Issue notice to the respondent(s).

07. Mr. Alla Ud Din Ganai, learned Additional Advocate General accepts notice on behalf of respondents. He seeks and is granted three weeks' time to file response.

08. List on 27th February, 2025.

09. In the meantime, subject to objections from the other side and till the next date of hearing before the Bench, subject to deposit of the requisite arrears by the petitioner within a period of two weeks from today before the competent authority-LAWDA, the impugned order dated 12th August, 2025 bearing No. 149-JKPCC of 2025 shall not be given effect to, in case there is no other legal impediment.

10. Modification/Vacation/Alteration on motion.

(Wasim Sadiq Nargal)
Judge

SRINAGAR:

17.12.2025

"HAMID"