

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).5600/2026

[Arising out of impugned final judgment and order dated 05-02-2026 in SCA No.1666/2026 passed by the High Court of Gujarat at Ahmedabad]

M/S. PIRAMAL PHARMA LIMITED

Petitioner(s)

VERSUS

GUJARAT POLLUTION CONTROL BOARD & ANR.

Respondent(s)

(IA No. 41844/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 41845/2026 - EXEMPTION FROM FILING O.T, IA No.42132/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 09-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) : Mr. Mukul Rohatgi, Sr. Adv.
Mr. Ashish Prasad, Adv.
Mr. Mahfooz Ahsan Nazki, AOR
Ms. Mukta Dutta, Adv.
Mr. Siddharth Sharma, Adv.
Mr. Vivek Rajan D.B., Adv.

For Respondent(s) : Mr. Tushar Mehta, SG
Mr. Maulik Nanavati, Adv.
Ms. Aastha Mehta, Adv.
Mr. Aman Mehta, Adv.
Ms. Prerana Mohapatra, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The petitioner is a pharmaceutical company operating a manufacturing unit in Dahej, Gujarat. The Spent Hydrochloric Acid (Spent HCL) is generated by the petitioner's industrial unit as bye-product. According to the petitioner, Spent HCL is supplied to an authorised actual user. However, on 29.01.2026, a tanker bearing

No.GJ-27-TG-6676, loaded with 34.170 MT. of Spent HCL, which departed from the petitioner's industrial unit effectively on 30.01.2026, was alleged to have thrown that Spent HCL in the Narmada canal. On enquiry, the Pollution Control Board is said to have found that M/S Shree Ramnath Chemical had not received the Spent HCL.

2. Be that as it may, the Gujarat Pollution Control Board issued a show-cause notice to the petitioner, but without awaiting reply thereto, invoked its powers under Section 33A(2) of the Water (Prevention and Control of Pollution) Act, 1974 and issued a closure order dated 03.02.2026 on the ground of causing grave injury to the environment.

3. The above-stated order was challenged by the petitioner before the High Court of Gujarat. However, the petitioner's writ petition has been dismissed by the High Court vide impugned order dated 05.02.2026, with the following liberty:

"23. Liberty rests with the petitioner to approach the GPCB for seeking revocation of the closure direction or file appeal before the National Green Tribunal. We further make it clear that, in case, the petitioner approaches GPCB seeking for revocation of the closure direction or files a statutory appeal before the National Green Tribunal, none of the observations made hereinabove will not come in the way of the parties and the GPCB/National Green Tribunal would be required to take an independent decision on the contentions/claims of the petitioner."

4. The aggrieved petitioner is before us.

5. At the outset, it is pointed out by Shri Mukul Rohatgi, learned senior counsel for the petitioner, that in deference to the liberty contained in paragraph 23 above, the petitioner has made a

representation to the State Pollution Control Board seeking revocation of the closure order dated 03.02.2026.

6. That being so, we deem it appropriate to dispose of this special leave petition with the direction that the Prescribed Authority in the Gujarat Pollution Control Board shall decide the representation made by the petitioner within one week, after giving an opportunity of hearing to the petitioner's authorised representative. Ordered accordingly.

7. The aggrieved party shall be at liberty to approach the National Green Tribunal. There may be a separate prayer for interim directions before the National Green Tribunal and in that event such a prayer of the aggrieved party shall be decided by the Tribunal as early as possible and preferably within two weeks subject to the outcome of the pending appeal.

8. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR