

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 207 OF 2005

SANGANER KAPRA RANGAI AND CHHAPAI ASSOCIATION ... APPELLANT(S)

:VERSUS:

VIJAY SINGH PUNIA AND ORS. ... RESPONDENT(S)

WITH

CIVIL APPEAL NOS. 208-211, 213, 214-215 and 216-217 OF 2005

ORDER

CIVIL APPEAL Nos. 207/2005 & 208-211/2005:

An affidavit has been filed on behalf of the State of Rajasthan - respondent No. 5 herein, referring to a report of the Rajasthan State Pollution Control Board (hereinafter referred to as 'the Board'). The said affidavit be taken on record.

The views of the Board, as per the said affidavit, are indicated in its letter dated 31.3.2009 addressed to Senior Additional Director (Officer-in-Charge), Office of the Commissioner of Industries, Udyog Bhawan, Tilak Marg, Jaipur.

Learned counsel appearing on behalf of the appellant Association stated that the members of the Association are agreeable to act in terms of the recommendations of the Board. It needs to be noted that the State had accepted the views and recommendations of the Board and follow up action has to be taken by the concerned industries.

We, therefore, dispose of the writ petition(s) with the direction that in case

the requisite norms fixed by the Board are fulfilled by any industry, whose case is being espoused by the appellant Association, necessary permission to continue shall be granted to it, if otherwise there is no violation of any norms or any statutory prescription. The Board and the State shall make joint enquiries in future to see that the requisite norms are being followed and, in case, there is any deviation or infraction therefrom, it shall be open to the Board or the State, as the case may be, to take action as available in law.

The appeals are disposed of accordingly.

C.A. Nos. 213/2005, 214-215/2005 and 216-217/2005 be delinked and listed in August, 2009.

.....J
(Dr. ARIJIT PASAYAT)

.....J
(ASOK KUMAR GANGULY)

NEW DELHI,
APRIL 30, 2009.

JUDGMENT