

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION(C)NO.24865 OF 2009

U.P.POLLUTION CONTROL BOARD & ORS. ... PETITIONER(S)

VERSUS

M/S.KOTHARI FERM.&BIOCHEM LTD. & ORS. ... RESPONDENT(S)

O R D E R

Heard both sides.

The petitioner-Uttar Pradesh Pollution Control Board has challenged the order passed by the Division Bench which permitted the respondent factory to run despite the Report filed by the U.P.Pollution Control Board. The Division Bench was of the view that the Central Pollution Control Board have to inspect the factory premises of the respondent and file a report. We are told that the Central Pollution Control Board has not so far filed any report and the same is awaited. The matter is remitted to the High Court, as the main matter is pending before the High Court. The High Court may take appropriate steps in disposing the main matter as expeditiously as possible, on the basis of the report to be filed by the Central Pollution Control Board.

Interim order will continue till then.

The Special Leave Petition is disposed of.

.....CJI
(K.G. BALAKRISHNAN)

.....J.
(B.N. AGRAWAL)

NEW DELHI;
9TH OCTOBER, 2009