

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (C) No. 6149 of 2017

Santosh Mandal Bricks, A proprietorship Firm having its place of business at Village-Rajgoah, P.O. & P.S.-Gamharia, Dist.-Seraikella, Kharsawan through its Proprietor Santosh Mandal, son of Darphari Mandal, resident of Old Sonari near Harihar Mandir Kagal Nagar, P.O. & P.S.- Sonari, Town-Jamshedpur, Dist.-East Singhbhum

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Member Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6024 of 2017

M/s King Bricks, A proprietorship Firm having its place of business at Chhota Govindpur near SBI, P.O. & P.S.-Chhota Govindpur, Town-Jamshedpur, Dist.-East Singhbhum through its Proprietor Sanjay Kumar Gupta, son of Sri Rajendra Prasad Gupta, resident of Chhota Govindpur near SBI, P.O. & P.S.- Chhota Govindpur, Town-Jamshedpur, Dist.-East Singhbhum

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman

W.P. (C) No.6149 of 2017 and other allied cases

2. Principal Secretary, Jharkhand State Pollution Control Board,
having its office at Town Administration Building, H.E.C.
Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6090 of 2017

M/s. S.M. Bricks, a proprietorship firm having its place of business
at Old Sonari near Harihar Mandir, P.O. & P.S.- Sonari, Town-
Jamshedpur, Dist.-East Singhbhum through its Proprietor Santosh
Mandal, son of Darphari Mandal, resident of near Harihar Mandir,
Sonari, P.O. & P.S.- Sonari, Town-Jamshedpur, Dist.-East
Singhbhum

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at
Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa,
P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Principal Secretary, Jharkhand State Pollution Control Board,
having its office at Town Administration Building, H.E.C.
Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6091 of 2017

Rajendra Prasad Choudhary, son of late Biseshwar Lal Choudhary,
resident of beside of Radha Cinema, Gamharia, P.O. & P.S.-
Gamharia, Dist.-Seraikella, Kharsawan

.... Petitioner

Versus

W.P. (C) No.6149 of 2017 and other allied cases

1. Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Principal Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6382 of 2017

Murlidhar Choudhary, son of Jitendra Nath Choudhary, resident of Kalyanpur, P.O. & P.S.-Govindpur, Dist.-Dhanbad

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Member Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6409 of 2017

Pramod Tripathy @ Pramod, son of late Girjanand Tripathy, resident of Jharia No.4, P.O. & P.S.- Jharia, Dist.-Dhanbad

.... Petitioner

Versus

W.P. (C) No.6149 of 2017 and other allied cases

1. Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Member Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6411 of 2017

Suresh Kumar Bhagwani, son of late Tulsidas Bhagwani, resident of Chandra Villa, Jorapokhar, P.S.-Bank More, P.O.-Dhansar, Dist.-Dhanbad

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Member Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6430 of 2017

Md. Mahmood Ansari, son of Md. Junus Ansari, resident of Upar Kulhi, Jharia, P.O. & P.S.-Jharia, Dist.-Dhanbad

W.P. (C) No.6149 of 2017 and other allied cases

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Member Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6545 of 2017

Puran Singh, son of late Sarb Singh, r/o DGMS Colony, Dhanbad Panchrukhi, P.O.-Bagdaha, P.S.-Rajganj, Dist.-Dhanbad

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Principal Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6800 of 2017

Akhtar Nawaz Khan, son of Shahnawaz Khan resident of Topchanchi, P.O. & P.S.-Topchanchi, Dist.-Dhanbad

.... Petitioner

W.P. (C) No.6149 of 2017 and other allied cases

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Principal Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6808 of 2017

Jagarnath Mahato, son of late Haricharan Mahto, resident of Bansjore, P.O.-Loyabad, P.S.-Loyabad, Dist.-Dhanbad

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Principal Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6809 of 2017

Ashok Kumar Jha, son of Kripa Sindhu Jha, resident of Village-Tetulmari, P.O.-Sijua, P.S.-Tetulmari, Dist.-Dhanbad

.... Petitioner

Versus

W.P. (C) No.6149 of 2017 and other allied cases

1. Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Principal Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6848 of 2017

Kishore Kumar Mahto, son of late Govind Mahto, resident of Mantand, P.O. & P.S.-Topchanchi, Dist.-Dhanbad

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Principal Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 6923 of 2017

Kripa Sindhu Jha, son of late Balram Jha, resident of Village-Tutulmari, P.O.-Sijua, P.S.-Tetulmari, Dist.-Dhanbad

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Building, H.E.C. Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman

W.P. (C) No.6149 of 2017 and other allied cases

2. Principal Secretary, Jharkhand State Pollution Control Board,
having its office at Town Administration Building, H.E.C.
Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 3856 of 2018

Baba Bricks, a Proprietorship concern having its place of business at
Village-Kaitha, P.O.-Kaitha, P.S. & Dist.-Ramgarh through its
Proprietor Birendra Kumar Sahu (Aged about 47 years), son of Hari
Prasad Sahu, resident of Village-Dunda, P.O.-Chuttupalu, P.S.-
Ormanjhi, Dist.-Ranchi

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at
Town Administration Division Building (Ground Floor), H.E.C.
Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through
its Chairman
2. Member Secretary, Jharkhand State Pollution Control Board,
having its office at Town Administration Division Building
(Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-
Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 3864 of 2018

Raj Kumar Mahto, (Aged about 22 years), son of late Chandu
Mahto, resident of Village-Kaitha, P.O.-Kaitha, P.S. & Dist.-
Ramgarh

.... Petitioner

Versus

W.P. (C) No.6149 of 2017 and other allied cases

1. Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Member Secretary, Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

With

W.P. (C) No. 3871 of 2018

Ms/ Shankar Bricks Works, through its Proprietor Shankar Singh (Aged 42 years), son of Parmeshwar Singh, resident of Bharech Nagar, Sandi Chowk, P.O.-Bharech Nagar, P.S.-Mandu, Dist.-Ramgarh

.... Petitioner

Versus

1. Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi, through its Chairman
2. Member Secretary Jharkhand State Pollution Control Board, having its office at Town Administration Division Building (Ground Floor), H.E.C. Campus, P.O.-Dhurwa, P.S.-Jagannathpur, Dist.-Ranchi

.... Respondents

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

.....

W.P. (C) No.6149 of 2017 and other allied cases

For the Petitioners : Mr. Shankar Lal Agarwal, Advocate
For the Respondents : Mrs. Richa Sanchita, Advocate
: Ms. Riya Narain, Advocate
: Ms. Risheeta Singh, Advocate
: Mr. Rahul Saboo, Advocate
.....

By the Court:-

1. Heard the parties.
2. Learned counsel for the writ petitioners seeks permission of this Court to correct the name of the respondent no.2 in W.P. (C) No.6024 of 2017, W.P. (C) No.6090 of 2017, W.P. (C) No.6091 of 2017, W.P. (C) No.6545 of 2017, W.P. (C) No.6800 of 2017, W.P. (C) No.6808 of 2017, W.P. (C) No.6809 of 2017, W.P. (C) No.6848 of 2017 and W.P. (C) No.6923 of 2017 which has been written as Principal Secretary, Jharkhand State Pollution Control Board instead of the correct designation being the Member Secretary, Jharkhand State Pollution Control Board.
3. Permission is accorded.
4. The petitioners are directed to carry out the necessary correction in the cause title of W.P. (C) No.6024 of 2017, W.P. (C) No.6090 of 2017, W.P. (C) No.6091 of 2017, W.P. (C) No.6545 of 2017, W.P. (C) No.6800 of 2017, W.P. (C) No.6808 of 2017, W.P. (C) No.6809 of 2017, W.P. (C) No.6848 of 2017 and W.P. (C) No.6923 of 2017 during the course of the day.
5. All the writ petitions have been filed under Article 226 of the Constitution of India challenging the order passed by the

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respondent no.2 of all the writ petitions wherein in compliance of the order of National Green Tribunal, Kolkata passed in O.A. No. 110/2015/EZ in the matter of Joydeep Mukherjee vs. The Pollution Control Board & Anr. dated 15.02.2017, the writ petitioners have been directed to deposit ₹1,00,000 in some cases and ₹1,50,000/- each in other cases, towards environmental compensation drawn in favour of respondent no.2.

6. It is the case of the writ petitioners that they are not the units to whom the order passed by the NGT, Kolkata in the said O.A. No. 110/2015/EZ dated 15.02.2017 is applicable and seeks permission of this Court to withdraw all the writ petitions with liberty to submit fresh representations to the respondent no.2; claiming that they are not the units to whom the order passed by the NGT, Kolkata is applicable and submits that respondents be directed to dispose of the said representation to be filed by the petitioners within the reasonable time.
7. Learned counsel for the respondents has no serious objection.
8. Considering the aforesaid facts, the petitioners are permitted to withdraw all the writ petitions with liberty to submit fresh representations to the respondent no.2; within three weeks and in case, such representation is submitted, the respondent no.2 is directed to dispose of the same by speaking orders, in accordance

with law within the period of six weeks; from the date of receipt of such representations.

9. All the writ petitions are disposed of accordingly.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 30th April, 2024
AFR/Sonu-Gunjan/-

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