

IN THE HONOURABLE HIGH COURT OF DELHI

WRIT PETITION (CIVIL) NO. 1345 OF 2025

IN THE MATTER OF:

M/S LAVIANROSE INDUSTRIES PRIVATE LIMITED, a company incorporated under the Companies Act, 2013, having its registered office at D-45, Connaught Place, New Delhi – 110001,

...Petitioner

VERSUS

1. UNION OF INDIA, Through Secretary, Ministry of Corporate Affairs, Shastri Bhawan, New Delhi – 110001
2. CENTRAL POLLUTION CONTROL BOARD, Through Chairman, Parivesh Bhawan, East Arjun Nagar, Delhi – 110032
3. DELHI POLLUTION CONTROL COMMITTEE, Through Chairman, 5th Floor, ISBT Building, Kashmere Gate, Delhi – 110006

...Respondents

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA SEEKING QUASHING OF PROCEEDINGS INITIATED UNDER THE ENVIRONMENT (PROTECTION) ACT, 1986, AND DIRECTIONS FOR REGULATORY RELIEF

TO,

THE HON'BLE CHIEF JUSTICE AND HIS COMPANION JUSTICES OF THE HON'BLE HIGH COURT OF DELHI

THE HUMBLE PETITION OF THE PETITIONER ABOVE NAMED

MOST RESPECTFULLY SHOWETH:

1. INTRODUCTION

1.1 The Petitioner, M/s Astra Industries Private Limited ("Petitioner"), is engaged in the business of manufacturing industrial solvents and specialty chemicals, having its primary production unit at Bawana Industrial Area, Delhi.

1.2 The Petitioner is aggrieved by the coercive actions undertaken by the Respondents, particularly the sealing of its manufacturing unit by the Delhi Pollution Control Committee (DPCC) without adequate notice and an opportunity for hearing, in violation of principles of natural justice.

2. FACTUAL BACKGROUND

2.1 The Petitioner was issued Consent to Operate under the Air (Prevention and Control of Pollution) Act, 1981, and Water (Prevention and Control of Pollution) Act, 1974, by the DPCC on 15th April 2020, valid until 14th April 2025.

2.2 On 12th January 2025, the DPCC officials conducted a surprise inspection at the Petitioner's factory premises and alleged non-compliance with environmental norms, specifically excessive effluent discharge beyond permissible limits and improper hazardous waste disposal.

2.3 On 20th January 2025, the Petitioner received a show-cause notice under Section 5 of the Environment (Protection) Act, 1986, requiring an explanation within seven days.

2.4 On 27th January 2025, without affording a personal hearing or considering the Petitioner's response, the DPCC proceeded to seal the manufacturing unit and issued an order for immediate cessation of all operations.

2.5 The Petitioner, being aggrieved by this unilateral action, seeks judicial intervention to quash the said sealing order and seeks appropriate relief.

3. GROUNDS FOR RELIEF

3.1 Violation of Principles of Natural Justice – The sealing of the Petitioner's premises without an opportunity for a fair hearing violates Article 14 and 19(1)(g) of the Constitution of India.

3.2 Arbitrary Exercise of Power – The Respondents have acted arbitrarily by sealing the factory without scientific verification of compliance efforts undertaken by the Petitioner.

3.3 Non-Consideration of Mitigation Measures – The Petitioner had installed an advanced effluent treatment plant (ETP) and had demonstrated compliance in its response to the show-cause notice, which was not considered.

3.4 Economic and Reputational Loss – The arbitrary closure has caused an estimated loss of INR 12 crore and irreparable damage to the Petitioner's business reputation.

4. PRAYERS

In view of the aforementioned facts and circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to:

- (a) Issue a writ of Certiorari quashing the sealing order dated 27th January 2025 issued by the Delhi Pollution Control Committee;
- (b) Issue a writ of Mandamus directing the Respondents to allow resumption of operations at the Petitioner's manufacturing unit;
- (c) Direct the Respondents to conduct a fresh environmental assessment with due process and provide reasonable time for compliance;
- (d) Grant any such further and other reliefs as may be deemed just and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.

DATED THIS 26TH DAY OF MARCH, 2025.

FILED BY:

Tharunika Loganathan

Advocate for the Petitioner

Enrolment No.: DHC/2020/12345

Chamber No. 123, High Court of Delhi