IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY

Writ Petition (M/B) No.668 of 2026

M/s Ovyas International ----Petitioner

Versus

Uttarakhand Pollution Control Board
& Another ----Respondents

August 20, 2026

Presence:-
Mr. Vedant Bijalwan and Mr. Abhishek Darmora, learned counsel for the petitioner
Mr. Aditya Pratap Singh, learned counsel for the respondents

JUDGMENT : (per Mr. Manoj Kumar Gupta, C. J.)

1. Heard learned counsel for the parties.

2. The present writ petition has been filed assailing the order dated 23.02.2026 passed by Member Secretary, Uttarakhand Pollution Control Board in exercise of powers under Section 33(A) of Water (Prevention and Control of Pollution) Act-1974 and Section 31(A) of Air (Prevention and Control of Pollution) Act-1981 directing the closure of the petitioner's unit and requiring the petitioner to show cause as to why environmental compensation at the rate of ₹ 1000/day be not imposed from the next day of the expiry of Consent to

Operate i.e. 01.10.2023 till 13.01.2026 and further @ ₹ 2,000/- per day till compliance of closure directions.

3. Learned counsel for the petitioner submits that the respondents be directed to decide the representation submitted by the petitioner on 20.04.2026 before passing any order for imposition of environmental compensation.

4. As the closure order itself grants time to the petitioner to show cause as to why environmental compensation should not be imposed against the petitioner and therefore it is implicit that the respondents before taking any decision would consider the reply/representation of the petitioner.

5. Learned counsel appearing for Uttarakhand Pollution Control Board also takes the same stand.

6. In view of the above, the writ petition is disposed of by providing that the representation of the petitioner dated 20.04.2026 shall be duly considered while taking any decision for imposing environmental compensation.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 20.08.2026

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