

KJ

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO.7098 OF 2013

AVH Private Ltd., &amp; Anr.

....Petitioners

V/s.

State of Maharashtra &amp; Anr.

....Respondents

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Mr.D.D.madon Sr.Counsel with Mr.M.P.Bharucha, Ms.Anuradha Agnihotri, Ms.Sneha Jaishingh for the petitioners.

Mr.V.S.Gokhale AGP for the respondent no.1.

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**CORAM : V.M.KANADE & K.R.SHRIRAM, JJ****DATE : 6th August, 2013.****P.C. :-**

1 Petitioners to serve the respondents by giving private notice. Notice is made returnable on 19.8.2013. Learned AGP Mr.Gokhale waives service on behalf of respondent no.1.

2 Learned Advocate for the petitioners submitted that they have come across news report which was published in "Sakal News" in which it is mentioned that the Hon'ble State Minister of Environment Shri Sanjay Devtale has issued order to stop the functioning of AVH Chemicals situated in Industrial Area of Halkarni Taluka-Chandgad. He submitted that the petitioners have obtained

every permission from every authority. He submitted that the construction of the plant is at a crucial stage and if stay order is granted, the petitioners may incur huge losses. It is submitted that no notice has been given by the State Government or by any other agency to the petitioners and therefore, assuming that such an ex-parte order is passed, the said ex-parte order is illegal and clearly in breach of violation of principles of natural justice.

3 In this view of the matter, ad-interim relief is granted in terms of prayer clauses-(d) and (e).

Stand over to 19.8.2013.

**(K.R.SHRIRAM,J)**

**(V.M.KANADE,J)**