

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

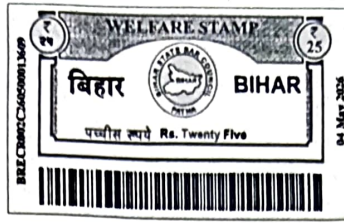
**EASTERN ZONE BENCH, FINANCE CENTRE KOLKATA**

**IN**

**O. A. NO. 64/ 2026**

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**EASTERN ZONE BENCH, FINANCE CENTRE KOLKATA**

**IN**

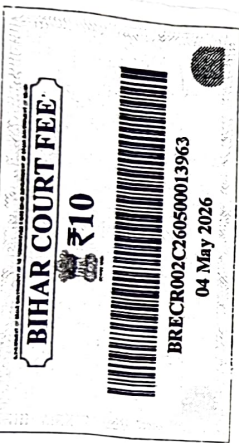
**O. A. NO. 64/ 2026**

**In the matter of:**

Devendra Sharma, Son of Late Dilchand Sharma, Resident of Indrapuri,  
Road No. 0, Keshari Nagar, P.O. Keshari Nagar, District - Patna, Bihar -  
800024. ...Applicant

**Versus**

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna, Bihar - 800015.
2. The Bihar State Pollution Control Board (BSPCB) through its Member Secretary, Parivesh Bhawan, Patliputra Industrial Estate, Patna, Bihar - 800010.
3. The District Magistrate, Patna, Bihar - 800001.
4. The Sub-Divisional Magistrate, Patna Sadar, Bihar - 800001.
5. Pramod Sharma (Proprietor: M/s Sumit), Resident of House No. OB/18, Road No. 0, Indrapuri, Keshari Nagar, Patna, Bihar - 800024. ... Respondents



21216

P-15-17  
A-18-21  
S. Prakash  
05/5/26

**SUPPLEMENTARY AFFIDAVIT ON BEHALF OF THE APPLICANT**

1. That it is most respectfully submitted that the Applicant is a permanent resident of Indrapuri, Patna, and has been a victim of continuous environmental degradation due to the illegal industrial activities of Respondent No. 5. The Applicant is fully conversant with the facts of the case and is competent to swear this affidavit to bring on record critical subsequent developments. The present document serves to highlight the persistent defiance of law by the private respondent and the corresponding administrative lethargy of the State authorities.
  
2. That it is most respectfully submitted that the subject matter of this Original Application pertains to the unauthorized and hazardous operation of a plastic manufacturing and grinding unit under the name and style of "M/s Sumit." This unit is located squarely within a densely populated residential zone at House No. OB/18, Road No. 0, Indrapuri, Keshari Nagar, Patna. The operation of such an industrial unit in a primary residential area is a flagrant violation of the Bihar State Pollution Control Board's Siting Criteria and Master Plan regulations.

3. That it is most respectfully submitted that Respondent No. 5 has been operating this unit without the mandatory "Consent to Establish" (CTE) and "Consent to Operate" (CTO) as required under the Water (Prevention and Control of Pollution) Act, 1974. Furthermore, the unit lacks any authorization under the Air (Prevention and Control of Pollution) Act, 1981, making its very existence a legal nullity. The absence of these statutory consents implies that the unit has never been assessed for its environmental impact or its capacity to handle hazardous plastic waste in a residential cluster.
4. That it is most respectfully submitted that the unit engages in the thermal processing and mechanical grinding of plastic granules, which releases toxic Volatile Organic Compounds (VOCs) and particulate matter. These emissions are discharged directly into the ambient air of a neighborhood where children, elderly citizens, and patients reside. The high-decibel noise generated by the grinding machines further contributes to severe noise pollution, violating the Noise Pollution (Regulation and Control) Rules, 2000.
5. That it is most respectfully submitted that acting upon the complaints of the Applicant, the Bihar State Pollution Control Board (BSPCB) conducted multiple field inspections which

confirmed the illegal status of the unit. Consequently, the BSPCB issued a formal Closure Order dated 31.07.2024 under Section 33A of the Water Act and Section 31 A of the Air Act. This order strictly directed the immediate cessation of all industrial activities and the disconnection of electricity to the premises to prevent further environmental damage.

A True/Photocopy of the BSPCB Closure Order dated 31.07.2024 is enclosed herewith and marked as **Annexure:-P/1** to this Application.

6. That it is most respectfully submitted that the issuance of the closure order has proven to be a mere paper formality due to the lack of physical enforcement by the local administration. Respondent No. 5 continues to operate the unit with impunity, shifting the production hours to the late night and early morning to evade detection by the authorities. This deceptive practice ensures that the residents are exposed to hazardous fumes and noise precisely during their hours of rest and sleep.
7. That it is most respectfully submitted that the Applicant repeatedly informed the District Magistrate and the Sub-Divisional Magistrate about the non-compliance with the Board's closure order. Despite

clear directives from the environmental regulator, the local police and administrative officials failed to seal the premises or dismantle the machinery. This failure of the executive machinery has emboldened Respondent No. 5 to treat the environmental laws of the country with utter contempt and disregard for public health.

8. That it is most respectfully submitted that in light of the public nuisance being caused, the Court of the Sub-Divisional Magistrate, Patna Sadar, initiated proceedings under Section 133 of the Cr.P.C. A spot verification was conducted which corroborated the Applicant's claims regarding the hazardous nature of the unit. The Ld. SDM subsequently passed an Order dated 11.09.2025 in Case No. 152/2025, directing the removal of the nuisance and the cessation of the illegal activity within a fixed timeframe.

A True/Photocopy of the SDM Patna Order dated 11.09.2025 is enclosed herewith and marked as **Annexure:-P/2** to this Application.

9. That it is most respectfully submitted that Respondent No. 5 has engaged in a systematic pattern of "Forum Shopping" and "Suppression of Material Facts" before various judicial forums. It was discovered that Respondent No. 5 previously moved the

Hon'ble Patna High Court in CWJC No. 17517 of 2024, seeking a stay on the Board's actions. In those proceedings, the Respondent falsely depicted the area as commercial and failed to mention the residential occupancy of the Applicant and other affected families.

10. That it is most respectfully submitted that The Review Part of the current litigation is of paramount importance as it exposes the fraud practiced by Respondent No. 5. Respondent No. 5 obtained an order on 08.04.2025 through deliberate deception, as no notice of any kind has been received by the Applicant at any place or address. The Respondent is now using that fraudulently obtained order as a shield to continue polluting the environment and to mislead the local police authorities.
11. That it is most respectfully submitted that the Applicant has since filed a Civil Review Application (No. 41 of 2026) before the Hon'ble Patna High Court to recall the order dated 08.04.2025. This review is based on the discovery of new and important matter, specifically the internal Board reports and SDM reports which were suppressed by the Respondent. The Applicant asserts that a judgment obtained by fraud is a nullity in the eyes of the law and cannot be used to justify environmental crimes.

12. That it is most respectfully submitted that the Applicant also filed a substantive writ petition, C.W.J.C. No. 18919 of 2025, before the Hon'ble Patna High Court challenging the inaction of the authorities. During the hearing on 23.12.2025, the Hon'ble Court took a very serious view of the Bihar State Pollution Control Board's failure to file a counter-affidavit. The Hon'ble Court has directed the Member Secretary to appear personally if the parawise counter-affidavit is not filed by the next date of hearing.

A True/Photocopy of the Hon'ble High Court Order dated 23.12.2025 is enclosed herewith and marked as **Annexure:-P/3** to this Application.

13. That it is most respectfully submitted that the continued operation of the unit is a direct assault on the Right to Life as enshrined under Article 21 of the Constitution of India. As held by the Hon'ble Supreme Court in multiple precedents, the right to life includes the right to a wholesome and clean environment. By allowing a hazardous plastic unit to operate in a residential cluster, the State Respondents are failing in their constitutional duty to protect the health and well-being of its citizens.

14. That it is most respectfully submitted that the Precautionary Principle, which is a part of the environmental jurisprudence of this country, must be applied in this case. Given the scientific certainty of the hazards associated with plastic grinding and thermal processing, the unit should not be allowed to function for a single minute. The burden of proof lies on Respondent No. 5 to show that his activities are environmentally benign, which he has failed to do despite several opportunities.
15. That it is most respectfully submitted that the unit is also liable for Environmental Compensation under the "Polluter Pays Principle." For every day that the unit has operated without a CTO and in defiance of a closure order, Respondent No. 5 must be penalized. These funds should be recovered from the Respondent and utilized for the environmental restoration and health check-ups of the Indrapuri and Keshari Nagar localities.
16. That it is most respectfully submitted that the Respondent Board's officials have shown a suspicious degree of leniency toward the unit. Despite the closure order being nearly two years old, no "Performance Guarantee" has been forfeited, nor has any criminal prosecution been initiated under Section 41 of the Water Act. This

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- inaction points toward a potential nexus between the polluter and the field-level enforcement staff which needs to be investigated.
17. That it is most respectfully submitted that the Applicant has secured video evidence showing the unit operating continuously day and night with heavy machinery running at full capacity. The noise levels at such hours are significantly above the prescribed limits for residential zones. Such continuous operations are a clear indicator that the unit is aware of its illegal status and is actively defying public and legal scrutiny.
  18. That it is most respectfully submitted that the unit does not possess any fire safety clearance or industrial safety certification from the competent authorities. In a congested residential lane, a plastic factory is a ticking time bomb for a major fire hazard. Should a fire occur, the narrow lanes would make it impossible for fire tenders to reach the spot, leading to a potential loss of numerous lives and property.
  19. That it is most respectfully submitted that the Public Trust Doctrine mandates the State to act as a trustee of natural resources, including the ambient air quality. By failing to stop the emissions from M/s Sumit, the State has breached the trust of the residents of

Patna. The air quality in the vicinity has deteriorated significantly due to the unchecked thermal processing and grinding activities.

20. That it is most respectfully submitted that the Applicant is a middle-aged citizen who has no vested interest other than the health and safety of his family. He has been repeatedly harassed and threatened by the Respondent for raising his voice against this illegal pollution. Despite these threats, the Applicant remains committed to the cause of environmental justice and the rule of law.
21. That it is most respectfully submitted that the Bihar State Pollution Control Board has categorized such grinding units as "Orange" or "Red" category industries. According to the Siting Criteria of the Board, such categories are strictly prohibited from being established within 200 meters of any residential cluster. The unit in question is not just within 200 meters, but is physically attached to the residential walls of the Applicant's primary house.
22. That it is most respectfully submitted that the machinery used in the factory is of an outdated design and lacks any modern pollution control equipment like scrubbers or dust collectors. The micro-plastics and toxic emissions generated during the grinding process escape directly into the ambient environment. This unregulated

industrial discharge poses a continuous, severe threat to the overall ecological balance of the residential zone.

23. That it is most respectfully submitted that the Respondent DM and SDM have the power under the Bihar Municipal Act and the Cr.P.C. to seal any unauthorized commercial activity in residential areas. Their continued silence and failure to physically lock the premises suggests an abdication of their statutory duties. A direction from this Hon'ble Tribunal is necessary to compel them to perform their duty in accordance with the law of the land.
24. That it is most respectfully submitted that the industrial electricity connection of the unit must be permanently terminated to prevent further operation. It has been observed that even when the Board directs a "Temporary Disconnection," the Respondent manages to restore power through unauthorized means. Only a permanent removal of the industrial transformer and heavy-load wiring can ensure a total cessation of the grinding activities.
25. That it is most respectfully submitted that the principles of Natural Justice have been fully complied with by the Board before issuing the closure order on 31.07.2024. Respondent No. 5 was given a show-cause notice and an opportunity for a personal hearing, which he failed to utilize effectively to prove the legality of his

unit. He cannot now claim that he was not heard or that the Board acted in a high-handed manner.

26. That it is most respectfully submitted that the Applicant is suffering from severe sleep deprivation and mental stress due to the 24/7 noise and vibrations. The "Right to Sleep" has been recognized as a fundamental right by the Hon'ble Supreme Court under Article 21. The persistent, uninterrupted noise pollution from the factory completely shatters the peaceful domestic environment required for a healthy life.
27. That it is most respectfully submitted that the Respondent unit uses hazardous chemicals for cleaning the plastic waste before it is sent for grinding. This chemical-laden effluent is discharged directly into the municipal drains without any treatment in an Effluent Treatment Plant (ETP). This leads to the clogging of drains and the permanent contamination of the groundwater table in the Keshari Nagar and Indrapuri area.
28. That it is most respectfully submitted that the Applicant has no other alternative or efficacious remedy for the restoration of the environment. The High Court is looking into the legality of the administrative orders, but this Tribunal is the specialized body for environmental remediation. Both proceedings are complementary

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and aimed at the same goal of upholding the environmental rule of law.

29. That it is most respectfully submitted that the Balance of Convenience lies heavily in favor of the Applicant and the general public of Patna. The closure of one illegal factory will result in only a minor financial loss for one individual, Respondent No. 5. However, the continued operation of the factory will result in the permanent health degradation and potential death of hundreds of innocent residents.
30. That it is most respectfully submitted that the "Doctrine of Sustainable Development" does not allow for industrial development at the cost of human health and environmental integrity. Development must be in harmony with the local zoning laws and environmental regulations of the State. A plastic factory in a narrow residential lane is the antithesis of sustainable development and planning.
31. That it is most respectfully submitted that the Applicant prays for the appointment of a Independent Commity to visit the site. Such an inspection will reveal the true extent of the illegal operations and the high decibel noise levels being generated. The Applicant is

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willing to bear the initial costs of such an inspection to prove the truth of his factual assertions.

32. That it is most respectfully submitted that the State of Bihar has a mandatory duty under the Directive Principles of State Policy (Article 48A) to protect the environment. By allowing M/s Sumit to operate in open defiance of closure orders, the State is in direct violation of this constitutional mandate. The Hon'ble Tribunal must step in as the guardian of the environment to correct this state of administrative failure.
33. That it is most respectfully submitted that the Applicant has prepared a detailed index of all the documents and orders passed by various authorities. This index proves the persistent efforts made by the Applicant and the repeated failures of the Respondents to enforce their own statutory orders. Justice delayed in this matter is effectively justice denied for the residents who are breathing toxic air every day.
34. That it is most respectfully submitted that the Applicant craves the leave of this Hon'ble Tribunal to file further affidavits if new facts regarding the fraud come to light. The situation on the ground is dynamic, and the Respondent is constantly trying new methods to circumvent the law. The Applicant remains vigilant and will

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continue to update this Tribunal regarding the progress of the Civil Review in the High Court.

35. That the present Supplementary Affidavit is being filed in a bona fide manner and in the interest of environmental justice. No part of this affidavit is false, and no material fact has been concealed from this Hon'ble Tribunal. It is humbly prayed that the reliefs sought in the Original Application be granted in their entirety to restore the environmental health of the locality.

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**VERIFICATION**

I, the deponent above named, do hereby verify and declare that the contents of this affidavit in paragraphs 1 to 35 are true to my personal knowledge and belief, based on the records of the case and the information received, and that no part of it is false and nothing material has been concealed therefrom.

Verified at Patna on this 05<sup>th</sup> day of April, 2026.

39-3 214L  
**DEPONENT**

0.5.5.2026 -

21216

Devedra sharma  
Solemnly Affirmed before me by  
Who is identified by.....  
I have satisfied myself by examining the  
deponent that he understands the  
contents of the affidavit which has been  
read over to him and he has  
acknowledges to me  
Date .....

05/5/26

S. Prakash

Suryajit Prakash,  
Advocate Oath Commissioner  
PATNA HIGH COURT  
Enroll No. -BR/1353/21

**Suryajit Prakash**  
Advocate Oath Commissioner  
Patna High Court  
Enrolment No -BR/1353/2021  
Enrolment Date -23.07.2021

(17

देवेन्द्र शर्मा  
Devendra Sharma  
जन्म तिथि/ DOB: 01/01/1980  
पुरुष / MALE

भारत सरकार  
राष्ट्रीय जनगणना विभाग  
भारत सरकार

पता:  
S/O स्व. विलास चंद शर्मा,  
इन्द्रपुरी रोड न-0,  
कैलाशपुर, मधुवा,  
बिहार - 800024

Address:  
S/O Late Di Chand Sharma,  
Indrapuri Road No-0, Keelari  
Nagar, Patna,  
Bihar - 800024

4071 2391 7549

मेरा आधर, मेरी पहचान

4071 2391 7549

17

Annex- P1.

(18)

*Annex- P1*

(28)



REGISTERED  
BIHAR STATE POLLUTION CONTROL BOARD  
Parivesh Bhawan  
Phone-0612-2261250-2262265, Fax-0612-2261050  
E-mail: msbspceb-bihar@gov.in, Website <http://bspceb.bihar.gov.in>

Patna, dated:-

Ref. No.-

From

Dr. D.K. Shukla,  
Chairman.

To

M/S Sumit,  
Sri Pramod Sharma (Proprietor),  
At- House No. - 0.B/16,  
Road No. 0, Indrapuri,  
Patna-

**DIRECTION FOR CLOSURE UNDER SECTION 31A OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981.**

WHEREAS, the State Govt. has declared the entire State of Bihar as "Air-pollution Control-Area" under the provisions of section 19 of the Air (Prevention and Control) Act, 1981.

WHEREAS, any industrial unit is required to obtain previous Consent to Establish (thereinafter referred to as CTE) and Consent to Operate (hereinafter referred to as CTO) from the State Board under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 thereinafter referred to as 'Air Act' before establishing and operating the unit.

WHEREAS, a public complain was received at the State Board when it was stated that due to operation of your unit air and noise pollution is causing nuisance to the public and that the unit is being operated in residential area.

WHEREAS, the complainant reported to the office of the State Board that your unit is operational in residential area and it is not regulated as per the Air Act, 1981 and it is being operated without a valid CTE/CTO.

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~~18~~  
~~17~~

5) WHEREAS, operation of your unit without a valid CTE & CTO from the State Board at a site which is not as per the siting criteria of the State Board is in violation of the provisions of the Air Act and Water Act and as such illegal

6) WHEREAS, in light of the above findings of the inspection you were served upon with a 'Proposed Direction for Closure' vide State Board Ref No. 384, dated 06.02.2024, wherein you were given an opportunity to file your objections to the state Board action of directing closure of your unit.

7) WHEREAS, you filed a reply dated 12.02.2024 wherein you have stated that pollution is not caused by your unit and you made a request to re-inspect your unit and if it is found polluting in nature then you will obtain CTE and CTO from the State Board. Your reply was considered and not found to be satisfactory as your unit is polluting in nature and causes air and noise pollution and also heavy vibration is felt at the site. Also the unit is not situated as per the siting criteria of the State Board and it is situated in densely populated residential area.

Therefore, in exercise of the powers under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981, direction to-

**CLOSE AND STOP OPERATION OF YOUR UNIT WITH IMMEDIATE EFFECT,  
AND**

**IN DEFAULT THEREOF, the Board will be constrained to file complaint case under the relevant provisions of the Air (Prevention and Control of Pollution) Act, 1981, and the Environment (Protection) Act, 1986 with other actions under other suitable provisions of the said acts.**

*[Faint signatures and stamps are visible at the bottom of the page, including a large handwritten '11' at the bottom center.]*

REGISTERED  
**BIHAR STATE POLLUTION CONTROL BOARD**

Parivesh Bhawan  
 Phone-0612-2261250/2262265, Fax-0612-2261050  
 E-mail: [msbspcc-bih@gov.in](mailto:msbspcc-bih@gov.in), Website <http://bspccbih.bihar.gov.in>

Patna, dated:-

Ref. No. :

From

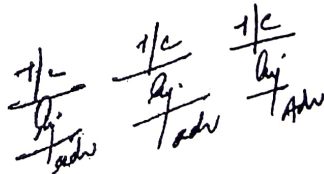
Dr. D. K. Shukla,  
 Chairman.

To.

M/s Sumit,  
 Sri Pramod Sharma (Proprietor),  
 At-House No.- 0.B/16,  
 Road No. 0, Indrapuri,  
 Patna.

**DIRECTION FOR CLOSURE UNDER SECTION 31A OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981.**

- 1) WHERE AS, the State Govt. has declared the entire State of Bihar as "Air-Pollution Control-Area" under the provisions of section 19 of the Air (Prevention and Control of Pollution Act, 1981.
- 2) WHERE AS, any industrial unit is required to obtain previous Consent to Establish thereafter referred to as CTE and Consent-to-Operate thereafter referred to as CTO from the State Board under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981. Thereinafter referred to as 'Air act' before establishing and operating the unit.
- 3) WHERE AS, a public complain was received at the State Board wherein it has been stated that due to operation of your unit air and noise pollution is caused and heavy vibration is felt and that the unit is being operated in residential area.
- 4) WHERE AS, your unit was inspected by the officials of the State Board and it was found that unit is operational in residential area and it is not situated as per the sitting criteria of the State Board and it is being operated without a valid CTE and CTO from the State Board.



- 5) WHERE AS, operation of your unit without a valid CTE & CTO from the State Board at a site which is not as per sitting criteria of the State Board is in violation of the provisions of the Air Act and Water Act and as such illegal.
- 6) WHERE AS, in light of the above findings of the inspection you were served upon with a 'Proposed Direction for Closure' vide State Board Ref No. 384, dated 06.02.2024, wherein you were given an opportunity to file your objections to the State Boardd action of directing closure of your unit.
- 7) WHERE AS, you file a reply dated 12.02.2024 wherein you have stated that pollution is not caused by your unit and you made a request to re-inspect your unit and if it's found polluting in nature then you will obtain CTB and CTO from the State Board. Your reply was considered and not found to be satisfactory as your unit is polluting in nature and causes air and noise pollution and also heavy vibration is felt unolear home due to operation of your unit. Also the unit is not situated as per the sitting criteria of the State Board and it is situated in densely populated residential area.

I, therefore, in exercise of the powers under section 31A of the Air (Prevention and Control of Pollution) Act, 1981. direct you to:-

**CLOSE AND STOP OPERATION OF YOUR UNIT WITH IMMEDIATE EFFECT  
AND**

IN DEFAULT THEREOF, the Board will be constrained to file complaint case under the relevant provisions of the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986 with other actions under other suitable provisions of the said acts.

Sd/-  
(D. K. Shukla)  
Chairman

Memo No.-1758

Patna, Dated 31.07.24

Copy to: The District Magistrate, Patna with a request to ensure that the unclear.

Unclear  
(D.K. Shukla)  
Chairman

*1/c*  
*by*  
*Tadw*

*1/c*  
*by*  
*Tadw*

*1/c*  
*by*  
*Tadw*

Annex- P2.

Annex P/A

(20)

(2)

माननीय, अनुमंडल दण्डाधिकारी, पटना सदर।

दिनांक 11.09.2025 (एम)2025

श्री 0000-शुल्का प्रमोद, रागा

पटना के अधीन शर्त आदेश (Conditional Order)

1. पता, गंगो गला श्री शंकर शर्मा, इन्द्रपुरी, रोड नं-जीरो, वार्ड नं-07,

पटना, पटना जिला-पटना।

2. पता, श्री 0000-शुल्का प्रमोद, रागा, इन्द्रपुरी, रोड नं-जीरो, वार्ड नं-07,

पटना, पटना जिला-पटना। धर में संगलित किये जा रहे प्लास्टिक फेंकट्टी से उत्पन्न प्रदूषण से निवारण अथवा नागरिकों को हो रहे बाधा (Nuisance) से रतुष्ट होकर द्वितीय पक्षगण पर कानूनन न्याय-152 की कार्यवाही प्रारम्भ की जाती है।

इसके लिए आप उक्त प्लास्टिक फेंकट्टी से उत्पन्न प्रदूषण के बाधा (Nuisance)

दिनांक 26.09.2025 से पूर्व हटाने का दिनांक- 26.09.2025 को सदर अनुमंडल के आग्रह में तयस्थित हो एवं कारण पृच्छा प्रस्तुत करें कि क्यों नहीं इस शर्त आदेश को निश्चित आदेश (Absolute) में प्रवर्तित किया जाय।

दिनांक- 11.09.2025,

*(Signature)*  
अनुमंडल दण्डाधिकारी,  
पटना सदर।

(न्यायालय के मुद्रा)



न्यायालय अनुमंडल दण्डाधिकारी, पटना सदर।

वाद सं०-1038 (एम) 2025

देवेन्द्र शर्मा बनाम प्रमोद शर्मा

अस्पष्ट की धारा 152 के अधीन सशर्त आदेश (Conditional Order)

प्रमोद शर्मा पिता श्री शंकर शर्मा, इन्द्रपुरी, रोड नं०-जीरो, वार्ड नं०-07, थाना-पाटलिपुत्रा,  
जिला-पटना।

मुझे यह ज्ञात कराया गया है कि आने इन्द्रपुरी, रोड नं०-जीरो, वार्ड नं०-07,  
थाना-पाटलिपुत्रा, जिला-पटना। घर में संचालित किये जा रहे प्लास्टिक फैक्ट्री से उत्पन्न  
प्रदूषण से स्थानीय आम नागरिकों को हो रहे बाधा (Nuisance) से संतुष्ट होकर द्वितीय  
पक्षगण पर अस्पष्ट की धारा-152 की कार्यवाही प्रारम्भ की जाती है।

इसके लिए आप उक्त प्लास्टिक फैक्ट्री से उत्पन्न प्रदूषण के बाधा (Nuisance) को  
दिनांक 26.09.2025 से पूर्व हटाये या दिनांक 26.09.2025 को सदर अनुमंडल के न्यायालय में  
उपस्थित हो एवं कारण पृच्छा प्रस्तुत करें कि क्यों नहीं इस सशर्त आदेश को अंतिम आदेश  
(Absolute) में प्रवर्तित किया जाय।

तिथि-11.09.2025

अस्पष्ट  
अनुमंडल दण्डाधिकारी  
पटना सदर।

(न्यायालय का मुहर)

7/c  
Op  
Tadw

7/c  
Op  
Tadw

Annex - P3

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Civil Writ Jurisdiction Case No.18919 of 2025

(21)

Devendra Sharma

... .. Petitioner/s

Versus

The State of Bihar & Ors

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate  
Mr. Harsh Kaushal, Advocate  
Mrs. Annapurna Sinha, Advocate  
Mr. Abhishek Kumar, Advocate  
Mr. Aman Raj, Advocate  
Mr. Kuldeep Thakur, Advocate  
Mr. Prakash Raj, Advocate  
For the Respondent/s : Mr. Raghwanand GA 11  
Mr. Sanjay Kr Tiwari, Ac to GA 11  
For the Pollution Board : Mr. Kumar Ravish, Advocate

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2 23-12-2025

Heard the learned counsel for the parties.

2. The Pollution Control Board is directed to file a parawise counter affidavit on or before the next date of hearing failing which Member Secretary, Bihar State Pollution Control Board, Patna will personally appear before this Court on the next date of hearing.

3. Re-list this case on 17.02.2026.

4. Let a copy of this order be communicated to the Chief Secretary, Govt. of Bihar, Patna through FAX for its compliance forthwith.

(Sandeep Kumar, J)

Shishir/-

U



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**EASTERN ZONE BENCH, FINANCE CENTRE KOLKATA**

IN

**O. A. NO. 64/ 2026**

**IN THE MATTER OF:**

**Devendra Sharma**

....Applicant

Versus

**The State of Bihar & Ors.**

....Respondents

KNOW ALL to whom these present shall come that I/We Devendra Sharma, Son of Late Dilchand Sharma, Resident of Indrapuri, Road No. 0, Keshari Nagar, P.O. Keshari Nagar, District - Patna, Bihar - 800024, do hereby appoint

HARSH KAUSHAL, ADVOCATE, Enroll No. **BR/1892/2013**

Mobile No. 9431267818

Email: [harshcnlu@gmail.com](mailto:harshcnlu@gmail.com)

Yashraj Bardhan AOR 4658, 9835895559

Office: A/58 LaxmiNiwas, Housing Colony Kankarbagh Patna – 20

(herein after called the advocate/s) to be my/our Advocates in the above noted case authorized them: -

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us.

To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 2<sup>nd</sup> day of May 2026.

Accepted subject to the terms of fees.

Identified signature of the Client

ADVOCATE

CLIENT

*I have no objection  
if any other Lt. Counsel  
presents this case.*

*Hambh  
#1892/2013.  
09/05/2026.*



45

N.G.T.

Eastern Zone  
Kolkata

O.A.No.

**VAKALATNAMA FOR** *Appelant*

of

64

202 6

*Devendra Sharma*

Appellant  
Petitioner

Versus

*The State of Bihar & An*

Respondent  
Opposite Party

Know all men by those Presents by this Vakalatnama

I/We *Devendra Sharma, 5/6 Laxi Dil Chand Sharma,  
H/o Indrapuri, Road No. 0,  
Keshari Nagar, Gokeshari -  
Nagan, Distt. - Patna,  
Bihar - 800024.*

*1/11/2026  
26/5*

Do here by  
Appoint the advocates noted below in the margin or any of  
them as my/our lawful Advocate in the above mentioned case  
for appearing, conduction and arguing the same  
or depositing or withdrawing any money in connection there  
with or putting in papers petition, etc on my/our behalf or fill-  
ing or taking back any document or with drawing suit, appeal  
or application with permission to institute fresh suit etc and  
make compromise and for referring the case for arbitration and  
for doing acts that be necessary to be done in connection  
with said acts, I/we, further say that any act done by my/our  
said Advocate or any of them after accepting this  
Vakalatnama shall be considered or my / our true lawful act

- and shall be binding or me/us
- Mr. *Pankaj Majumdar, Advocate*
- Mr. *Shivesh, Advocate*
- Mr. *Akshat Sinha, Advocate*
- Mr. *Chandrajit Gaurav, Advocate*
- Mr.

To the above effect I/we execute this Vakalatnama  
Dated \_\_\_\_\_ of \_\_\_\_\_ 202



Received ~~\_\_\_\_\_~~ through the  
 escecotant and accepted the same

Shivraj  
 Advocate

BR/1223/23

8340295584

shivahupadhyaya21@gmail.com

Pankaj Meijomwar

Advocate

Enr. No. 1984/03

AOR- 02573.

Mob:- 9431458091

Akshel Singh, Advocate

Enr No:- D/7814/2025

Mob:- 9990096644

Chandrajeet Gaurav  
 Adv.

Enr. No. BR/216/2026

Mob:- 9546267866