

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE  
BENCH, PUNE**

**Appeal No.113/2017 (WZ)  
M.A. No. 404/2017**

**In the matter of:-**

**M/s Health View Holidays Resorts Ltd V/s MPCB & Anr.**

**CORAM: HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER**

**Present: Applicant : Mr. Saurabh Kulkarni, Adv. a/w  
Ms. Priti Joshi, Adv.  
Respondent Nos.1 and 2 : Mr. Vilas A. Jadhav, Adv.**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Supplementary Cause List Item No.1 22<sup>nd</sup> December, 2017</b>	<p>The Appeal has been filed by the Health View Holiday Resorts Ltd against the Order passed by Respondent No.2 – MPCB on 18<sup>th</sup> December, 2017 directing closure of the Appellant hotel on the ground that it has committed breach of Consent Terms and Conditions granted on 18<sup>th</sup> March, 2017 and has been the source of pollution, generating more than 100 MLD of sewage without treatment, operating 86 rooms against 59 rooms for which consent was granted. The Board, on inspection found that there is no proper water treatment plant for the waste water treatment and is not maintained properly, there is no sufficient bio-mass aeration tank, sludge drying bed is not provided and several other acts of pollution caused by this Appellant is indicated. The Board has also taken note of the noise pollution caused by the establishment resulting in complaint being filed on 10th December, 2017 and no facility for converting solid waste by way of organic waste convertor and solid waste is found kept near Gate No.3, etc. The direction to close, on the aforesaid finding by the Board, is assailed before us on technical ground that two</p>

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2017**

Show Cause Notices were issued one giving three days and another for seven days which was issued on 11th December, 2017. Learned Counsel for the Appellant further submits that they have given reply to the Show Cause Notices which has not been considered till now.

Learned Counsel Mr. Vilas Jadhav takes Notice for Respondent No.2 – MPCB and he submits authorities have received reply and will consider it expeditiously.

Learned Counsel Mr. Saurabh Kulkarni under instructions of his client submits that the Appeal may be disposed off directing the authorities to consider the representation for reviewing the order passed in question and the reply to Show Cause Notices.

In view of the aforesaid submission, this Appeal is disposed off directing the Respondent No.2 - MPCB to consider the explanation offered by the Appellant to the Order impugned dated 18<sup>th</sup> December, 2017 and only upon being fully satisfied after physical inspection as to whether the Appellant has removed all the deficiencies pointed in the report, appropriate orders be passed as expeditiously as possible within 10 days from now.

**Appeal No.113/2017 stands disposed off with no order as to cost.**

....., JM  
(Dr. Justice Jawad Rahim)