

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.176 OF 2012.

Mr Rajesh Madhukar Pandit and ors

... Petitioners

V/s.

The Nashik Municipal Corporation  
& Ors

... Respondents

Pravartak S. Pathak, for the Petitioners.

Mr M.L.Patil for Respondent Nos. 1 and 2.

Mr R.B.Raghuwanshi i/by Ms Rutuja Ambekar for Respondent No.3.

Mr A.B. Vagyani, A.G.P for Respondent No.5.

**CORAM : A.S. OKA & A.R.JOSHI, JJ.**

**DATE : 18<sup>th</sup> April, 2013.**

**P.C.**

(1) Heard learned counsel for the parties.

(2) On the earlier date of hearing, it was suggested that expert agency like the National Environmental Engineering Research Institute (for short NEERI) needs to be appointed so that a comprehensive action plan for the purposes of cleaning of the river Godawari and for proper maintenance of the river can be implemented.

(3) Learned counsel for the Maharashtra Pollution Control Board has tendered on record draft terms of reference to be made to NEERI for its expert opinion. The draft is taken on record and marked "X" for identification.

(4) We direct Advocate for the petitioners to serve a notice at the Head office of the NEERI calling upon NEERI to depute its responsible

officer to this Court on 6.5.2013 at 3.00 p.m. We direct the advocate for the petitioners to serve a copy of this petition together with affidavits filed therein, copies of the relevant orders including this order passed by this Court and a copy of the draft reference tendered today to NEERI along with the private notice. NEERI shall act on the basis of an authenticated copy of this order.

(5) On the next date, in presence of the authorized representative of NEERI, the terms of reference as well as the charges to be paid to NEERI can be finalized.

(6) On the last date, this Court had passed an order directing the police to make available the police force at the disposal of the Municipal Corporation. It is necessary that the Municipal Corporation should affix boards of sufficiently large size around the river Godawari at various prominent places warning the members of the public that any attempt made to pollute the river will result into the person concerned being prosecuted in accordance with law, including under the provisions of the Bombay Police Act, 1951. This direction shall be implemented by the Municipal Corporation within a period of two weeks from today. Compliance affidavit shall be filed on the next date.

Parties to act upon an authenticated copy of this order.

( A.R.JOSHI,J)

( A.S. OKA, J )