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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.176 OF 2012

Rajesh Madhukar Pandit

...Petitioner

vs.

The Nashik Municipal Corporation
and others

...Respondents

Mr.Pravartak Pathak for the Petitioner

Mr.M.L.Patil for the respondent Nos.1 and 2

Mr.R.D.Raghuwanshi and Mr.Ratnesh Dub i/b Ms Rutuja
Ambekar for respondent No.3Mr.R.A.Lokhande and Mr.D.A.Nalawade and for
respondent No.4Mr.A.B.Vagyani, Government Pleader for respondent
No.5Mr.P.P.Chavan i/b Little & Company for respondent
No.6CORAM : A.S.OKA, &
A.S.CHANDURKAR, JJ.

DATE : JULY 8,2014

P.C.:

1 Affidavit of Shri Vilas Balaram Patil, Collector and District Magistrate, Nashik is taken on record which is affirmed on 4th July 2014. In the said affidavit, it is stated that the acquisition of land at Pimpalgaon Khamb for setting up STP will be completed by the end of December 2014. It is stated that the acquisition of land for setting up STP at Gangapur will be completed by the end of September 2014.

2 The learned counsel for the Municipal

Corporation pointed out that the acquisition proceedings in relation to the lands at Gangapur is a subject matter of Writ Petition No.5365 of 2014. He states that on 27th June 2014, the Municipal Corporation has moved the Hon'ble the Chief Justice for clubbing the said Writ Petition with the PIL. A praecipe filed to that effect is placed on record. We direct the Registrar (Judicial-I) to obtain appropriate orders from the Hon'ble the Chief Justice on administrative side on the said praecipe, if an order is not already passed.

3 We accept the statements contained in the Affidavit filed by Shri Vilas Balaram Patil, Collector and District Magistrate, Nashik as regards the outer limit for completing acquisition proceedings. We must also record that the statement as regards the land at Gangapur is accepted subject to outcome of the Writ Petition No.5365 of 2014.

4 The said affidavit deals with bifurcation of outlay of Rs.2378.78 crores proposed by the State Government for Kumbhamela. Allocation proposed to Nashik Municipal Corporation is in the sum of Rs.1052.61 crores. Learned AGP tenders across the bar a letter dated 15th May 2014 addressed by the Secretary of Urban Development Department dated 11th December 2013 to the Director of Planing Commission for extending the financial assistance to Kumbhamela. A letter has been also addressed by the same Secretary to the Secretary of Ministry of Urban Development of Government of India requesting for

financial assistance.

5 The learned counsel for the Municipal Corporation seeks time to take instructions as to whether allocation of amounts to Nashik Municipal Corporation will be sufficient for implementation of the directions issued by this Court as regards Kumbhamela.

6 The learned Government Pleader also tendered across the bar affidavit of Shri Sanjeev Ramesh Thakur, Assistant Commissioner of Police, Administration Branch, Nashik City which is affirmed on 30th June 2014. The learned counsel for the petitioner seeks time to take instructions on the said affidavit. The learned counsel for the petitioner has tendered across the bar the Environment Quality Assessment report submitted by Maharashtra Pollution Control Board (for short 'MPCB') as regards a study made during the Sinhastha Kumbhamela 2003-2004.

7 Place the petition on 30th July 2014 under the caption of 'Directions'. On the next date, this Court will also consider the report of the MPCB. The question of issuing further directions in the light of the affidavits tendered today shall also be considered on the next date.

(A.S.CHANDURKAR,J.)

(A.S.OKA,J.)