

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

1.Mr.Rajesh Madhukar Pandit & Ors. .. Petitioners.
Vs.
1.The Nashik Municipal Corporation & Ors. .. Respondents.

Mr.Pravartak S.Pathak, for the Petitioners.

Mr.M.L.Patil, for Respondent nos.1 & 2.

Mr.R.D.Raghuvanshi i/b. Ms.Rutuja Ambekar, for Respondent no.3.

Mr.Anil C. Singh, A.S.G. @ Mr.D.A.Nalawade & Mr.Ravindra A.Lokhande, for Respondent no.4.

Mr.A.B.Vagyani, Government Pleader, for Respondent no.5.

Ms.Shyamali Gadre i/b. Little & Co., for Respondent no.6.

**CORAM : A.S.OKA &
G.S.KULKARNI, JJ.**

DATED : 2nd SEPTEMBER, 2014.

P.C. :

1. Today learned A.S.G. appears on behalf of Union of India and he seeks time. In order dated 30th July, 2014 this Court has noted the issue which arises as regards the release of funds by Government of India for the purpose of Kumbhamela. To the proposal submitted by the State Government, there is no response from the Union of India.

The learned ASG states that he has not received any instructions in that behalf.

2. The kumbhamela at Nashik is scheduled in August of 2015. So there is a great deal of urgency as far as release / sanction of funds by Union of India. For consideration of the issue, we keep the petition on 12th September,2014 under the caption of "Directions".

3. An affidavit is tendered on behalf of the Maharashtra Industrial Development Corporation. The affidavit has been affirmed by Mr.J.C.Borse, Deputy Engineer. The affidavit records that an undertaking has been given by the Metal Finishers Association, Nashik, to complete the work and commission the CETP within two years from 19th June,2014. A copy of the undertaking is annexed to the said affidavit. The possession of the plot of land for setting up of CETP project has been handed over by the MIDC to the said Association on 19th June,2014. The allotment of the said plot has been made to the said Association under the order dated 28th April, 2014. The MIDC has called upon Metal Finishers Association to submit progress report as regards the steps taken towards construction and completion of CETP.

4. In paragraph 31 of the order dated 7th March, 2014, a direction was issued to MIDC to ensure that CETP is set up at Satpur

and Ambad industrial areas as expeditiously as possible. The said order records that if the user industries are not willing to bear the cost of CETP, the MIDC shall take steps on its own for setting up CETP. The learned Counsel for MIDC states that the CETP which is to be constructed by the said Association will cater the need of both the Satpur and Ambad industrial areas.

5. Additional affidavit in reply filed today by Mr.J.C.Borse shall be treated as the first compliance report in terms of directions contained in paragraph (31) of the said order. Next compliance report shall be submitted by the MIDC within a period of three months. Place the petition for directions on 12th September,2014.

(G.S.KULKARNI, J.)

(A.S.OKA, J.)