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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.

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.B.Raghuwanshi i/b Ms Rutuja Ambekar for
respondent No.3Mr.D.A.Nalawade a/w Mr.N.R.Prajapati for respondent
No.4

Mr.A.B.Vagyani, GP for respondent No.5

Mr.Ankit Kulkarni i/b Little & Co. for respondent
No.6Mr.Sukand Kulkarni i/b Mr.V.B.Naik, Senior Advocate
a/w Deepan Dixit i/b Kartikeya and Associates for
respondent No.7Mr.Sanjay Jain and Ms Krishnan raja i/b L.J.Law for
respondent No.8

CORAM : A.S.OKA, &

A.K.MENON, JJ.

DATE : JANUARY 23, 2015

P.C.:

1 As regards the land required for STP at Gangapur, an Award under section 11 of the Land Acquisition Act, 1894 has been made on 31st December 2014. Notice of possession has been already issued under section 12(2). As regards the land required for STP at Pimpalgaon Khamb, an Award has been declared on 14th January 2015 and notices under section 12(2) have been already issued. The learned counsel for the Nashik Municipal Corporation states

that Writ Petition No.267 of 2015 and Writ Petition Stamp No.31927 of 2014 have been filed for challenging the acquisition of lands for STP at Gangapur and Pimpalgaon Khamb. On 19th January 2015, he has already filed a praecipe for clubbing the said Writ Petitions with the PIL.

2 We direct the Registrar (Judicial-I) to immediately place the said praecipe before the Hon'ble the Chief Justice to enable the Hon'ble the Chief Justice to pass an order on the administrative side. Considering the urgency involved for setting up STP, the Registrar (Judicial-I) shall ensure that matters are immediately placed before the Hon'ble the Chief Justice.

3 If all the petitions are assigned to this Court, we grant liberty to the learned counsel for the Nashik Municipal Corporation to get the petitions produced before this Court for fixing an early date.

4 As regards creation of Grievance Redressal Mechanism, as directed in the last order, in the meeting of the Committee headed by the Divisional Commissioner held on 31st December 2014, a resolution has been passed providing that the Nashik Municipal Corporation should create a separate Helpline with toll free number for the Grievance Redressal Mechanism. In the meanwhile, complaints made by the citizens should be accepted by Green Kumbha Cell appointed and a separate telephone

number shall be given to the Green Kumbha Cell within a period of one week from today. As stated earlier, adequate publicity should be given to the Green Kumbha Cell.

5 Our attention is invited to the final report of NEERI filed in November 2014. Very exhaustive recommendations have been made by the NEERI. The learned counsel for the petitioner states that some of the recommendations require priority to be given for its implementation. The Committee appointed by this Court headed by the Divisional Commissioner is bound to look into the said report. As suggested by the NEERI, necessary priority will be given by the Committee to the certain recommendations which require immediate implementation.

6 For considering the issue regarding directions, if any, to be issued to the respondent Nos.7 and 8, we direct that the petition shall be listed on 20th February 2015. Affidavits, if any, to be filed on or before 17th February 2015.

(A.K.MENON,J.)

(A.S.OKA,J.)