

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

P.I.L. NO. 75 OF 2009

(Shri Tapgachiya Atma Kamal Labdhisuriswarji Gyanmandir Trust Vs.
Nashik Municipal Corporation & ors.)

Office Notes, Office
Memoranda of appearances,
Court's orders or directions &
Registrar's orders.

Court's or Judge's orders

Mr. Mahesh Rawoot /b Mr. Vivek Salunke for the Petitioner.
Mr. Anup Deshmukh i/b Mr. V.A. Gangal Advocate for Res. 1 & 2.
Mr. N.P. Deshpande Advocate for respondent no. 3.
Mr. A.B. Vagyani, G.P., a/w Mr.P.G. Sawant, AGP, for
Res./State.

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

DATED : 07th August 2015.

P.C. :

We have perused the order dated 17.9.2014.

Para 6 of the said order reads as under:

“6. In view of the above discussion, we dispose
of the petition by passing the following order:

(I) We direct the first respondent-Municipal
Corporation that the operation of the three slaughter
houses shall be commenced only after ensuring that a
veterinary medical practitioner is appointed for each
slaughter house;

(II) We direct that the operation of the Effluent
Treatment Plant at Bhadrakali shall be commenced only
after obtaining consent of the Maharashtra Pollution
Control Board;

(III) Petition is disposed of;

(IV) C.A. No. 121/09 is also disposed of.

(V) The first respondent shall file compliance report on or before 28th November, 2014. Place the petition on 2nd December, 2014 under the caption 'Directions' for reporting compliance.”

Learned Govt. Pleader has referred to the definition of Scheduled animals as occurring in the Maharashtra Animals Preservation Act, 1986 and the amendment brought to the said Act by Maharashtra Act No.5 of 20015.

Learned Govt. Pleader submits that in accordance with the said law, a veterinary medical practitioner is made available in connection with the slaughtering of the scheduled animals. It is submitted that the Pollution Control Board has granted permission to operate the three slaughter houses by an order dated 17.1.2015. By an order dated 18.12.2014 the Division Bench of this Court opined that as regards appointment of veterinary medical practitioner, at this stage, the Court is not making any adjudication.

(S.B. SHUKRE, J.)

(NARESH H. PATIL, J.)