

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 102 OF 2014

Surendra Vaman Dhawale ....Petitioner

V/s.

State of Maharashtra and others ....Respondents.

WITH  
CIVIL APPLICATION NO. 55 OF 2015  
IN  
PUBLIC INTEREST LITIGATION NO. 102 OF 2014

The State of Maharashtra and others ....Applicants

V/s

Surendra Vaman Dhawale and others ....Respondents

Mr. Aditya Pratap for Petitioner

Mr. P. G. Sawant AGP for Respondent nos. 1 to 4, 8 to 12.

Mrs. Sharmila Deshmukh for Respondent no. 6

Mr. P. S. Dani, Senior Counsel a/w Ms. Shreya Ramesh i/b Bharucha & Partners for Respondent no. 14

Mr. Ajay Patil for Respondent no. 13

**CORAM : NARESH H. PATIL AND  
VL. ACHLIYA, JJ.**

**DATED : 18<sup>th</sup> March 2015.**

**PC.**

1) We have heard learned counsel for the petitioner. Learned counsel

for the petitioner submitted that representation were filed to Collector/Maharashtra Coastal Zone Management Authority which shall be placed on record on the next date of hearing. Learned counsel prayed for Ad-interim relief of status-quo.

2) Learned AGP seeks time to file affidavit on behalf of the Collector. Learned counsel for Maharashtra Coastal Zone Management Authority submits that for want of Super Imposition of Plot Site on the approved CZMP in the range of 1:4000, Authorities were not in a position to arrive at some decision and to file affidavit. Learned counsel submits that having such a plan incurs very heavy expenditure, therefore, request was made to respondent no.14, JSW Ispat Steel Limited, to get the map done.

3) Learned Senior Counsel appearing for Respondent no. 14 has disputed the contentions and allegations made by the petitioner. Learned counsel submits that at the behest of the petitioner, F.I.R. was registered against respondent no. 14. Case was tried. Complainant did not step into witness box. Accused were acquitted in that case. The trial Court had observed in favour of respondent no. 14.

4) All these material/documents would be placed on record before the next date.

5) Learned senior counsel for respondent no. 14 submits that super

imposition plan as desired by Maharashtra Coastal Zone Management Authority could be procured, for which sometime is required.

6) After having prima facie view of the matter, we expect Maharashtra Coastal Zone Management Authority to look into the matter in absence of map which they desire to have. Maharashtra Coastal Zone Management Authorities would formulate their opinion (Prima facie) after collecting necessary details, material, documents, spot inspection reports, so that on the next date of hearing, the issue could be looked into, on the basis of the material placed on the record.

7) At this stage, we are not inclined to grant any interim relief.

8) Stand over to 15/04/2015.

9) Civil Application is disposed of.

(VL. ACHLIYA, J.)

(NARESH H. PATIL, J.)