

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 55 OF 2016
IN
PUBLIC INTEREST LITIGATION NO. 2 OF 2016

Shri Santosh Gangaram Akhade. ... Petitioner.
V/s.
Ministry of Environment and Forests,
Government of India and others. ... Respondents.

Prakash Hartalkar for the applicant.
A.B.Vagyani, Govt.Pleader with M.M.Pabale, AGP for the State.
Ganesh Gole for respondent No.4.

**CORAM : DR.MANJULA CHELLUR, C.J.
AND M.S.SONAK, J.**

DATE : 25th November 2016.

PC. :

By this application, the applicant/ petitioner seeks restoration of the petition by setting aside the dismissal of the petition.

2. According to the petitioner, there has to be abolition of constitution of Monitoring Committee with immediate effect so far as

enforcement at Matheran in the district of Raigad. The learned counsel appearing for the Corporation is also before us. Though they are aware that the petition is dismissed for default, learned counsel for the respondent- Corporation submits that there is no Monitoring Committee and, therefore, no work is undertaken at Matheran. During the course of submission, learned counsel for the petitioner submits that the powers of the Monitoring Committee must be entrusted to the Corporation Authority so that there will neither be any need for establishing Monitoring Committee nor there will be any further delay in carrying out the works.

3. If the Corporation is put to any inconvenience on account of non-existence of the Monitoring Committee, they should approach the State Government or the authority concerned for establishment of the said Committee. If any individual person is inconvenienced or is put to hardship for want of clearance from the Monitoring Committee, he can directly approach the Court expressing his grievance and the Court may take a call.

4. In the above circumstances, we are of the opinion that there is no need to restore the petition. The civil application is, therefore, dismissed.

(M.S.SONAK, J.)

CHIEF JUSTICE