

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11426 OF 2016

Essar Steel India Limited	...Petitioner
vs.	
The Union of India and Others	...Respondents

Mr. Prakash Shah a/w. Mr. Durgaprasad Poojari i/b. PDS Legal, for the Petitioner.

Mr. Anil Singh, ASG. a/w. Mr. Parag Vyas and Ms. Indrayani Deshmukh, for Respondent No. 1-UOI.

Mr. PP. Kakade, AGP for the Respondents-State.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : **OCTOBER 20, 2016**

P.C.:

. Through this Petition, the Petitioner is seeking direction to the Respondents to expeditiously decide its application dated 11th August, 2016 filed under Section 2 of Forest (Conservation) Act, 1980 read with Rule 6 of the Forest (Conservation) Rules, 2003 for regularization of the pipeline.

2. According to the Petitioner, the water pipeline on the forest land is in existence since 1992. However, now the Respondents-State has disconnected water supply on the ground that no

permission of the forest department for laying down the pipeline was sought. Keeping in view the aforesaid, the Petitioner had submitted the aforesaid application on 11th August, 2016 but the same has not been decided as yet.

3. The learned AGP submits that the application has to be considered and appropriate decision has to be taken by the Respondent Nos. 1 and 3 and the Petitioner's application has already been forwarded to the Union of India for taking appropriate decision on it. Mr. Anil Singh, the Additional Solicitor General appearing for Union of India has submitted that the Petitioner's application shall be considered and the appropriate decision on it be taken as expeditiously as possible.

4. Keeping in view the aforesaid submission, we dispose of this Petition by directing the Competent Authority of Respondent-Union of India to consider and decide the Petitioner's application dated 11th August, 2016 as expeditiously as possible but not later than fifteen days from the date of appearance of the authorized representative of the Petitioner before the Competent Authority.

5. The authorized representative of the Petitioner to appear before the Competent Authority of Respondent-Union of India on 26th October, 2016 at 11.00 a.m.

6. The Competent Authority shall decide the Petitioner's application in accordance with law.

7. All the contentions raised in the Petition are left open.

8. With the aforesaid direction, the Petition stands disposed of.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)