

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 587 OF 2016

Mumbai Cattle Traders	}	
Association and Anr.	}	Petitioners
versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

Mr. Rajendra R. Mishra for the
petitioners.

Mr. Milind More - Additional Government
Pleader for respondent nos. 1 to 4.

CORAM :- S. C. DHARMADHIKARI &
G. S. KULKARNI, JJ.

DATED :- APRIL 1, 2016

P.C. :-

1) Heard Mr. Mishra appearing for the petitioners and
Mr. More learned Additional Government Pleader appearing for
the respondents.

2) We have perused the petition and the annexures
thereto so also the affidavit in reply and rejoinder.

3) The petitioner association of cattle traders and its
members are complaining that they should not be dispossessed
and evicted from their earlier location at Goregaon (East),
Mumbai. They were directed by the State to shift their cattle

market to Palghar. Palghar has now been designated as a district place. The argument is that the petitioners are being forced to shift their cattle market to Palghar and there is no infrastructure set up at Palghar so as to enable the petitioners and their members or cattle traders to sell cattle or deal with it. Particularly there is lack of medical care, there are no facilities such as drinking water etc. at palghar.

4) Though we have noted this request and clarified that we cannot now after several rounds of litigations allow the petitioners to remain at Goregaon, what we have essentially noted is, in the grab of lack of infrastructure at Palghar, the petitioners desire to perpetuate their stay at the present location at Goregaon. Admittedly, now they are removed and no facilities for holding a trade or sale in cattle can be permitted. That also cannot be permitted on account of health, hygiene and environmental issues and which affect public at large and residents of Mumbai and residing in and around the area where the cattle trade was held. In these circumstances, when there is a policy decision taken and the market cannot be held any longer at Mumbai, the petition seeking a mandamus and which was rejected earlier cannot be entertained now. It is dismissed.

(G.S.KULKARNI, J.)

(S.C.DHARMADHIKARI, J.)