

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 2183 OF 2017

Rajendrasinh Sopan Suryavanshi ... Petitioner
Vs.
State of Maharashtra & Ors. ... Respondents

Mr. S. P. Rajepandhare, for the Petitioner.
Mrs. R. M. Shinde, AGP, for Respondent Nos. 1 and 2.
Ms. Sharmila Deshmukh, for Respondent No. 3.

CORAM : SHANTANU S. KEMKAR &
Smt. ANUJA PRABHUDESAI, JJ.

DATE : SEPTEMBER 15, 2017

PC :

1. Upon praecipe, matter is listed today on the production board.
2. Having gone through the averments made in the petition and the documents annexed thereto, it appears that vide order dated 29th July, 2016 Lokayukta had observed and expected that the Dy. Regional Officer of the Pollution Control Board will give a personal

hearing to the complainant Bhanudas Suryawanshi and shall take care of his grievance.

3. The learned counsel for the Petitioner submits that though now the matter is not pending before the Lokayukta, but the Pollution Control Board vide order dated 21.1.2017 has observed not to issue conditional restart till the Petitioner get the revised order from Lokayukta.

4. Thereafter, according to the learned counsel for the Petitioner, the Petitioner had approached the Lokayukta, and Lokayukta by order / letter dated 5.1.2017 has stated that in regard to the Petitioner's grievance, he can approach to the competent authority.

5. According to the Petitioner, because of these orders Petitioner could not restart stone crushing.

6. Having regard to the submissions made by the Petitioner's counsel as also the learned counsel for the respondents, we are inclined to dispose of the petition directing the competent authority of the Respondent – Pollution Control Board to consider the Petitioner's grievance and take an appropriate decision after giving due opportunity of hearing to the Petitioner, as also the complainant, and

in accordance with law, as expeditiously as possible, within a period of six weeks.

7. With these directions, writ petition is disposed of.

Sd/-

Sd/-

[Smt. ANUJA PRABHUDESAI, J.] [SHANTANU S. KEMKAR, J.]

Vinayak Halemth