

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2707 OF 2017

The Great Golden Circus, ... Petitioners.
Through its Manager Venugopal K.S.

V/s.

Dr. D. N. Singh, Member Secretary,
Central Zoo Authority, Ministry of
Environment, Forests & Climate Change,
Govt. of India and 4 Others. ... Respondents.

Mr. Vikram V. Pai, Advocate for the Petitioners.
Mr. Parag Vyas, Advocate for Respondent Nos. 1, 2, 4 & 5.
Mr. S.L. Badar, AGP for the State.

**CORAM : V. M. KANADE AND
P.R. BORA, JJ.**

DATE : 8th MARCH, 2017

P.C. :

1 The grievance of the Petitioners is that the Central Zoo Authority had issued a show cause notice to the Petitioners, pointing out to them certain deficiencies/defects which were found by the authority in maintaining elephants in the Circus which take part in the said Circus. It is the case of the petitioners that after the show cause notice was issued they have cured the said defects. However, the Central Zoo

Authority without verification of this fact, has cancelled their recognition.

2 Since this is the only grievance made in the petition, we are of the view that before cancelling the recognition of the petitioners, the Central Zoo Authority should have once again, by way of a surprise check, visit the petitioners, re-examine the situation and thereafter pass the order in question in accordance with the law. We are satisfied that this has not been done and therefore, the impugned order dated 07.12.2016 at Exh. 'H' is set aside. We direct the Central Zoo Authority to again take inspection of the petitioners and thereafter, pass order in accordance with the law, within a period of four weeks.

3 With the above directions, the petition is disposed of. All contentions of all the parties are kept open. Needless to state that the petitioners shall be heard before a fresh order is passed by the authority.

(P.R. BORA, J)

(V.M.KANADE, J)

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