

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 517 OF 2015
IN
PUBLIC INTEREST LITIGATION NO. 158 OF 2011

Jayashree Vijay Kumar Jamble ... Petitioner

Versus

Mr. D.G. Pawar and another ... Respondents

**ALONG WITH
CONNECTED MATTERS**

None for the petitioner in Contempt Petition No. 517 of 2015.

Mr. Prashant Chavan a/w Mr. Navdeep Vora I/by Navdeep Vopra for respondent no. 4 in WP No. 4851 of 2016.

Mr. Datta Mane I/by Pradeep Havnur for the petitioner in WP No. 4851 of 2016.

**CORAM : SHANTANU KEMKAR &
SMT ANUJA PRABHUDESSAI, JJ.
OCTOBER 30, 2017**

P.C.:

None for the petitioner.

2. Learned counsel for the respondents submits that the order dated 8.7.2014 of which non compliance has been alleged, has been complied with. In order to substantiate this, an affidavit dated 28.10.2016 has been filed by the Chief Officer of Kulgaon

Badlapur Municipal Corporation. In paragraph 15 of the said affidavit, it has been specifically stated that about 75 rain trees were planted in survey no. 39 and the report was duly forwarded by the Regional Forest Officer, Badlapur by his letter dated 22/07/2015 to Deputy Conservator of Forest, Thane. It has been stated by the learned counsel for the respondents that there is no counter affidavit filed by the petitioner to deny the said fact. He has also brought to our notice that Public Interest Litigation No. 158 of 2011 in which this order was passed has also been disposed of as withdrawn by giving liberty to file fresh PIL. Learned counsel for the respondents submits that no fresh PIL has been filed by the petitioner. Be that as it may, we find that the affidavit filed by the respondents has not been controverted by the petitioner. In the circumstances, we dispose of the Contempt petition by recording the compliance.

3. In so far as Writ Petition No. 4851 of 2016 and Contempt Petition (St) No. 15004 of 2016 are concerned, the same are wrongly tagged with this Contempt Petition No. 517 of 2016. Office is directed to detag both the said petitions.

(SMT ANUJA PRABHUDESSAI, J.)(SHANTANU S. KEMKAR, J.)