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

WRIT PETITION NO. 6518 OF 2018

Ravi Hari Bellara ... Petitioner
Versus
Maharashtra Pollution Control Board and Ors. ... Respondents

Mr. Pankaj V. Bandekar, for the Petitioner.

**CORAM: A.S. OKA AND
RIYAZ I. CHAGLA, JJ.**
DATE: 21ST JUNE, 2018.

PC:-

1. Not on board. Taken on board.
2. The learned counsel appearing for the Petitioner tendered across the bar undertaking / affidavit of the Petitioner. It is taken on record and marked "U-1" for identification. The statements made in paragraph 3 of the said Affidavit are accepted as undertaking of the Petitioner.
3. In view of the undertaking, it is clear that electricity and water supply to the subject premises cannot be used by the Petitioner for any manufacturing activity.
4. To enable the Petitioner to adopt statutory remedy available, a limited prayer deserves to be granted only in view of the undertaking. Hence we pass the following order:-

(i) We accept the undertaking of the Petitioner which is taken on record and marked “U-1” for identification;

(ii) In view of the undertaking, we direct the Respondent Nos. 1 to 3 not to disconnect the water and electricity supply to the premises subject matter of impugned notice dated 8th June, 2018 for a period of one month from today subject to condition that the Petitioner abides by the undertaking given in paragraph 3 of his Affidavit and does not use the water and electricity supply for manufacturing or production activity;

(iii) We make it clear that the Appellate Authority will decide the appeal and prayer for interim relief made therein without being influenced by limited protection granted under this order;

(iv) All contentions of the Petitioner on merits are kept open;

(v) We also make it clear that the undertaking given by the Petitioner and this order will not come in the way of Respondent No.1 deciding the application made by the Petitioner for grant of consent in accordance with law.

(RIYAZ I. CHAGLA J.)

(A.S. OKA, J)