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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6975 OF 2018

Yograj Rameshwar Saw	...Petitioner
vs.	
Maharashtra Pollution Control Board andn others	...Respondents

Ms Pooja D. Pachkude for the Petitioner
Ms Nisha Mehra,AGP for the respondent-State

CORAM : A.S.OKA, &
RIYAZ.I.CHAGLA, JJ.
DATE : JUNE 29, 2018

P.C.:

. Not on board. Taken on board.

1 Heard the learned counsel appearing for the petitioner. On instructions, she states that the undertaking of the petitioner in paragraph 10 may be accepted. She seeks a limited protection to enable the petitioner to file a statutory appeal.

2 Accordingly, we pass the following order:

(I) Undertaking of the petitioner in paragraph 10 of the petition is accepted;

(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 10 of his petition 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;

(VI) We make it clear that notwithstanding this order, the application for grant of Consent to Establish shall be decided in accordance with law;

(VII) The petition is disposed of.

(RIYAZ.I.CHAGLA,J.)

(A.S.OKA,J.)