

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

PUBLIC INTEREST LITIGATION NO.6/2018

Dhanraj S/o Shrawan Giri and others

..Vs..

State of Maharashtra and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.I. Dhatriak, Advocate for petitioners.
Shri S.A. Ashirgade, A.G.P. for respondent Nos.1 to 3.

CORAM : B.P. DHARMADHIKARI AND Z.A.HAQ, JJ.

DATED : 18.6.2018.

1. Heard Shri M.I. Dhatriak, Advocate for petitioners and Shri S.A. Ashirgade, A.G.P. for respondent Nos.1 to 3.

2. Shri Dhatriak is seeking time to bring on record contempt of directions issued on 16.4.2018 by this Court. We are not inclined to adjourn the matter. If there is any contempt or violation, petitioners can always bring it to the notice of this Court in appropriate jurisdiction.

3. Petitioners seek release of L.P.G. connections from the supplier of their choice i.e. as contained in Gramsabha resolution. Advocate Dhatriak submits that different Grampanchayats have filed separate resolutions in this respect. The resolutions are being ignored and respondent Nos.2 and 3 are favouring supplier of their choice by forcing petitioners and others to take L.P.G. cylinders from him only.

4. Learned A.G.P. is relying upon

reply - affidavit. He submits that choice of individual or then resolution of Gramsabha needs to be acted upon. However, the supplier has to be from the area on which respondent No.3 has got jurisdiction.

5. After hearing respective counsel, we find insistence of jurisdiction of Range Forest Officer in the matter unsustainable. Scheme has been evolved with a particular purpose and hence the consumers for whose benefit it has been prepared, must be left free to obtain supply of L.P.G. from the nearest L.P.G. supplier. Such supplier may be geographically located beyond a particular Range Forest Officer.

6. In view of readiness and willingness shown in the reply, we direct respondent No.2 to issue necessary directions so that resolutions passed by concerned Grampanchayats are adhered to and residents of these Grampanchayats get L.P.G. supply from L.P.G. dealer of their choice. This order shall be complied with by respondent Nos.1 and 2 within two weeks from today.

7. With these directions and keeping all contentions of petitioners open, **we dispose** of public interest litigation. No costs.

JUDGE

JUDGE