

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

PUBLIC INTEREST LITIGATION NO.46/2018

Swanand s/o Laxman Soni

...Versus...

State of Maharashtra, through its Secretary (Wildlife), Revenue and Forests
Department, Mantralaya, Mumbai – 440032 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 A.A. Naik, Counsel for petitioner
Shri M.K. Pathan, A.G.P. for respondents

**CORAM : B.P. DHARMADHIKARI AND
ARUN D. UPADHYE, JJ.**

DATE : 11/04/2018

1. Though respective Counsel want to assert correctness of their respective stands in the matter and learned Assistant Government Pleader is seeking time to place appropriate affidavit (already drafted) on record, we find that life of impugned order dated 20/03/2018, ordering tranquilization of tigress and capture of four cubs was only up to 10/04/2018.

2. After orders dated 23/03/2018 passed by this Court, the forest authorities state that efforts have been made to drive her away from human habitation and though she has changed her area, description of new area and its nature is identical. Thus, still she is not away from human habitation.

3. Learned Counsel for petitioner points out that after 28/3/2018 till date there is no report of any attack on human being.

4. During hearing we gathered that earlier, tigress had killed two wild boars which are natural preys and then also killed two domestic cattle.

5. In this situation, we find that interest of justice can be met with by directing respondent no.2 to extend opportunity of hearing to petitioner before taking any fresh decision in the matter.

6. Petitioner to communicate his mobile number to office of respondent no.2 and he shall remain present before the Committee on given date and at given time for this purpose.

7. With these directions and keeping contentions open and also continuing interim order dated 23/3/2018 in force till fresh decision is taken by respondent no.2, we dispose of public interest litigation. No costs.

JUDGE

JUDGE

Wadkar