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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO. 134 OF 2018

Vikas Baldev Taneja

..Petitioner

Vs.

Shri Sanjay (Bala) V. Bhegde and ors.

..Respondents

Mr. Abhaykumar Apte for petitioner.

CORAM: NARESH H. PATIL, CJ. &
N. M. JAMDAR, J.

FEBRUARY 07, 2019.

P.C.

1. This Public Interest Petition raises an issue of cutting around 300 trees illegally by respondent no.1 – Member of Maharashtra Legislative Assembly (MLA). Earlier Writ Petition No. 2250 of 2016 was filed by the petitioner. By an order dated 3/10/2017, the Division Bench of this Court disposed of the said writ petition by passing following order :-

“1. Having taken instructions from his client, who is present in the Court, Mr. Apte, the learned Counsel for the Petitioner seeks leave to withdraw the writ petition with liberty to file fresh one. Leave with liberty as prayed for is granted. Writ Petition is disposed of as withdrawn.”

2. We have perused the order passed by this court in Criminal Writ Petition No.144 of 2018 on 3/5/2018, which was converted into present Public Interest Petition. Said order reads as under:-

“1. Having regard to the nature of the reliefs sought in the above Writ Petition, the same are in the nature of the reliefs, which can be sought in a P.I.L. We, therefore, decline to entertain the above Writ Petition. It would be open for the Petitioner to convert the above Writ Petition into P.I.L. and file the same on the Civil Side. The same to be done within four weeks from date. Liberty to apply before the appropriate Court taking PILs after the amendment.”

3. We have perused the record placed before us and considered the submissions advanced.

4. In the facts, the petitioner, at the first instance, may file a comprehensive representation, if he so desired, to an appropriate authority within three weeks from today. In case such a representative is preferred, the concerned authority may look into the same.

5. Public Interest Petition is disposed of accordingly.

N. M. JAMDAR, J.

CHIEF JUSTICE