

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO.1644 OF 2018**

People For Animals Welfare, Solapur ... Petitioner  
versus  
M/s. Sonankur Exports Pvt. Ltd. & Ors. ... Respondents

Mr. Ram Apte, Senior Advocate i/by Mr. Vikas K. Mahangare, for Petitioner.  
Mr. P.C.Kansara, for Respondent No.1.  
Mr. D.P.Singh, for Respondent Nos.2 and 3.  
Mr. Y.S.Kochare, AGP, for Respondent Nos.4 and 5.

**CORAM: AKIL KURESHI &  
S.J. KATHAWALLA, JJ.  
DATE: 13<sup>th</sup> AUGUST, 2019**

**P.C.:**

1. By this Writ Petition, the Petitioner has made a grievance that the order passed by this Court dated 18<sup>th</sup> June, 2008 in PIL No.83 of 2006 is not complied with by Respondent Nos.1 to 7. The order dated 18<sup>th</sup> June, 2008 is reproduced hereunder :

*“This Petition is filed in public interest seeking an order for restraining Respondent Nos.1 to 5 from, in any manner, proceeding with the setting up construction, commissioning and operating the slaughter house on lands bearing Gat Nos.13/1A, 13/1B, and 13/1C at Village Mulegaon, Tanda, Taluka South Solapur, District Solapur. The Petitioners wanted that Respondent No.3 should not establish the slaughter-house for which Respondent No.3 had been granted permission. According to the learned counsel for Respondent No.3, Respondent No.3 has already established the slaughter house but it has not become operative so far. During the course of hearing of this matter, various orders were passed and by one order dated 6<sup>th</sup>*

*October, 2005, passed in another writ petition, a committee was constituted by the Court, headed by retired Judge of this Court. The Committee has filed its report. The respondents have filed their objections to the report. Since Respondent No.1 has been granted permission and they are running the slaughter-house and the petitioners object it, we feel that it will be proper for the Government to consider the matter, if representation is made by the Petitioners against running of the slaughter house by Respondent No.3. If such a representation is made, the Government shall consider all the materials and come to its own conclusion as to whether by establishing the slaughter house by Respondent No.3 any law is violated. The Government may also take into consideration the report submitted to this Court by the committee constituted by it and also the objections filed by the Respondents to the said report before passing any order. The government shall hear the petitioners as well as the Respondents and pass appropriate orders in accordance with law. It is made clear that the report of the committee has not been approved by this Court and it will be for the Government to consider the report on its own merits. The PIL is disposed of.”*

2. The learned Counsel appearing for the Petitioner states that after the said order was passed, they have made representation to the Respondents on 4<sup>th</sup> July, 2008, 11<sup>th</sup> September, 2008 and 14<sup>th</sup> January, 2009, and hearing was held on 24<sup>th</sup> February, 2011. However, no order is passed thereafter. The learned Counsel for the Petitioner is unable to answer the query raised by the Court as to why the Petitioner has approached the Court after a period of seven years from the date of the hearing. In

fact, in the meantime, the Supreme Court has also given directions qua one of the issue pertaining to the pollution control. In view thereof, the Petitioner agrees to make a fresh representation before the Chief Secretary of the State of Maharashtra, raising their objections afresh, by giving copy thereof to the Respondent No.1. If such a representation is filed within a period of four weeks from today, the same shall be disposed of within a period of 12 weeks thereafter.

3. The Writ Petition is accordingly disposed of.

**( S.J.KATHAWALLA, J. )**

**( AKIL KURESHI, J. )**