

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**PUBLIC INTEREST LITIGATION NO. 141 OF 2019  
WITH CA/3383/2020 IN PIL/141/2019**

Santosh Murlidhar Shinde and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. V. D. Hon, Senior Advocate i/by Ashwin V. Hon, Advocate for the Petitioners.

Mr. A. R. Kale, AGP for Respondent Nos. 1 and 2.

Mr. P. P. More, Advocate for Respondent No. 3.

Mr. Ameya Bhat, Advocate for Respondent No. 5.

**CORAM : S. V. GANGAPURWALA &  
R. G. AVACHAT, JJ.**

**DATED : 23<sup>rd</sup> SEPTEMBER, 2020.**

**PER COURT:-**

. The learned A.G.P on instructions of Mr. Palawe, office bearer of the Urban Development Department, Government of Maharashtra submits that the State Monitoring Committee was constituted only for six months and now it is not functioning.

2. Mr. Hon, the learned senior counsel for the petitioners submits that the petitioners had approached the National Green Tribunal. The Tribunal directed the petitioners to approach the committee constituted by the Larger Bench of the Tribunal in Original Application

No. 606 of 2018 under order dated 28.08.2018.

3. The learned A.G.P on instructions has made a statement that the committee is not functioning.

4. In view of that, the petitioners may approach the National Green Tribunal for consideration of their case on merits. Upon application being filed by the petitioners, the National Green Tribunal shall consider the application of the petitioners as expeditiously as possible. All contentions are kept open.

5. With these observations, the public interest litigation is disposed of.

6. In view of disposal of the public interest litigation, civil application also stands disposed of.

7. The learned counsel for the petitioners request for refund of the amount of Rs. 40,000/- (Rupees Forty Thousand only) deposited pursuant to the directions of this Court for entertaining the instant public interest litigation.

8. The learned counsel for the petitioners graciously suggests that out of the amount deposited, an amount of Rs. 10,000/- (Rupees Ten

Thousand only) be given to the Government Medical College and Hospital, Aurangabad (Covid centre).

9. The registry shall transmit an amount of Rs. 10,000/- (Rupees Ten Thousand only) to the Government Medical College and Hospital, Aurangabad (Covid centre). Remaining amount of Rs. 30,000/- (Rupees Thirty Thousand only) be refunded to the petitioners.

**( R. G. AVACHAT )**  
**JUDGE**

**( S. V. GANGAPURWALA )**  
**JUDGE**

PS.B.