

Digitally
signed by
BASAVRAJ
GURAPPA
PATIL
Date:
2022.12.16
17:32:59
+0530

BASAVRAJ
GURAPPA
PATIL

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 113 OF 2021

Lawyers for Earth Justice & Ors.

..... Petitioners

Vs.

Maharashtra State Forest Department & Ors. Respondents

Mr. Ajinkya M. Udane for the Petitioners

Mr. P. P. Kakade, GP a/w. Mrs. Nisha Mehra, AGP for the State

**CORAM: S.V.GANGAPURWALA, ACJ &
S.G.CHAPALGAONKAR, J.**

DATED : DECEMBER 15, 2022

P.C.

1 We have heard the learned Advocate Mr.Udane, for the Petitioners. The learned Counsel submits that one Gaur (Indian Bison), entered Pune City from the Forest in the crowded Kothrud area. On witnessing the large number of people assembled at the spot, the bison began running to escape from the crowd but ended up ramming into a parked vehicle and iron gates of the society and injuring itself and ultimately died. The post-mortem revealed that he died because of cardiovascular failure induced by the shock and distress experienced by the animal. The Standard Operating Procedure is published in the year 2015 to control such situations. The same has not been followed.

2 The learned GP refers to the Affidavit filed by the Dy.Conservator of Forest, Pune and submits that the SOP is being adhered to.

3 We have perused the Affidavit filed by Respondent No.4.

Paragraph 4 of the said Affidavit reads thus:

“4. With reference to the contents of Para No.9 of the PIL, I state that, the contents are not true and correct. I state that the Forest Officers after receiving the information regarding sighting of the Gaur in Lane No.1 of Mahatma Society of Kothrud rushed to the spot and made every attempt to follow the SOP. The DCF contacted the Joint Commissioner of Police and requested him to take necessary action for mob control. The Range Forest officer (the RFO) had reached the spot with other forest officers, Honorary Wildlife Warden, Anil Khaire, Indian herpalogy Society (IHS) along Veterinary Dr. Gaurav and his team, the RESQ team and police Dr. Theurkar Govt. Veterinary Officer, Dr. Patil Govt. Veterinary Officer, Aundh with his team reached the spot. I state that the forest officers tried their best to control the spectators with the aid of Police Personnel.”

Paragraph 13 of the Affidavit also reads thus:....

*“13. I say that a trained rescue team was already in operation with Pune Forest Department, after the incident DCF has formed a Rapid Response Team (RRT) for better co-ordination within the forest machinery and also meetings with police department, Revenue department and other concern departments are conducted to deal with such issues. Workshops with all concern department was also conducted for better coordination during such rescue operations. Hereto annexed and marked as **Exhibit-5** is a copy regarding formation of RRT. Hereto annexed, as **Exhibit-6 (Colly)** is a copy of meetings conducted with Police Department, Forest Department and Revenue Department.”*

4 It appears that the Respondents had tried to follow the SOP.

5 In all such cases, in future, the Respondents shall adhere to the SOP in dealing with such situations.

6 With these observations, the PIL is disposed of.

(S.G.CHAPALGAONKAR, J)

(ACTING CHIEF JUSTICE)