

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

CRIMINAL WRIT PETITION NO.108 OF 2022

**SHIRISHKUMAR @ ANIL SHAMRAO WAGH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. Harshal Prakash Randhir, Advocate for the petitioner
Mr. S. D. Ghayal, APP for the respondent/State
Mr. D. B. Thoke, Advocate for respondent No.5

**CORAM : SMT. ANUJA PRABHUDESSAI AND
R. M. JOSHI, JJ.**

DATE : 12th JANUARY, 2023

PER COURT :-

1. The grievance of the petitioner is that despite G.R. dated 8th August, 2018 which banned use of Dichlorvos with effect from 31st December, 2020, the respondent No. 5-Municipal Council uses the same. The respondent No. 5 claims that they had no knowledge of the G.R. and though the pesticide was received on 25th March, 2021, it was not used with effect from 31st December, 2020.

2. The petitioner had made a representation to the Collector to look into the said irregularity. It is the grievance of the petitioner that the Collector has not taken cognizance of his representation. This petition can be disposed of by directing the Collector to look into the grievance raised in representation dated 29th November, 2021. The Collector to

take a decision on the said representation after hearing the respondent No.5- The Municipal Council. All the points and contentions are kept open.

4. We have not gone into the merits the contentions raised by either parties. Petition is disposed of.

5. The amount deposited by the petitioner be refunded.

(R. M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J.)

ssp