

Pdp

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

PUBLIC INTEREST LITIGATION NO. 62 OF 2023

Nandkumar B. Pawar & Anr.

.. Petitioners

Versus

Union of India & Ors.

.. Respondents

Mr. M. A. Choudhari for petitioners.

Mr. P. P. Kakade, Govt. Pleader a/w Ms. R. A. Salunkhe, AGP for State.

**CORAM: S. V. GANGAPURWALA, ACTING CJ. &
SANDEEP V. MARNE, J.**

DATE: MARCH 28, 2023

P.C.:

1. The petitioners have filed the PIL on the ground that from the Iron Ores mines in Sindhudurg District of Maharashtra and Goa, gold and other precious material such as platinum are detected.

2. According to the learned counsel for the petitioners the report also suggests the same. Reliance is placed on the letter dated 13th January, 2004 issued by the Shivaji University to the then Hon'ble Chief Minister, Government of Maharashtra and also report of the Laboratory.

3. The petitioners had filed similar PIL bearing PIL No. 56 of 2018. The same was dismissed under the order dated 30th April, 2019 by making following observations: -

“3. As Chemist and Geologist the petitioners ought to have researched and found whether the quantity of silver or platinum detected in the ore was of in such proportion where it made commercial sense to extract the precious metals from the ore before permitting the ore to be exported.

4. Merely because a precious element is detected in a sample would not mean that the precious element can be commercially extracted.

5. In a Public Interest Petition it is expected that the petitioners carry out full research and then approach the court. Half based petition was taking precious time of the court and leads one nowhere. Instant petition is found to be half based. It is dismissed."

4. The present PIL does not lead us any further. Today across the bar, the communication dated 21st February, 2023 issued by the Directorate of Geology and Mining, Government of Maharashtra, Nagpur to the Deputy Director, Directorate of Geology and Mining, Regional Office, Kolhapur is placed on record. In the said letter directions are given to carry out detailed investigation of the area mentioned in the said letter and submit the report to the office of Directorate of Geology and Mining on top priority. The investigation is still in progress. Depending upon the report, further steps may be undertaken. Today, there are no changed circumstances than the one existing at the time when PIL No. 56 of 2018 was dismissed.

5. In light of that present PIL stands disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)