

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO. 4 OF 2023**

Jiv Maitri Trust

.. Petitioner

Versus

State of Maharashtra & Anr.

.. Respondents

Mr. Raju Gupta a/w Ms. Neelam Yadav, Ms. Darshika Vasani
for petitioner.

Mr. Jahangir Khan for applicant/intervenor-Mohammed Haneef
Nadir Husain Qureshi (IA/2017/2023).

Mr. A. R. Patil, APP for respondent nos.1 and 3/State.

Mr. N. R. Bubna for respondent no.2/Corporation.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE: 6th SEPTEMBER, 2023

P.C.:

1. Heard Mr. Gupta, learned counsel for the petitioner, Mr. Patil, learned APP for respondent nos.1 and 3, Mr. Bubna, learned counsel for respondent no.2/Bhiwandi Nizampur City Municipal Corporation, Bhiwandi and Mr. Khan, learned counsel for the applicant in Interim Application No. 2017 of 2023.

2. By means of this Public Interest Litigation petition, a prayer has been made to declare the order dated 15th July, 2021 issued by the Commissioner of Bhiwandi Nizampur City Municipal Corporation, Bhiwandi (hereinafter referred to as

“the Corporation”) to be unconstitutional and *ultra vires* and to quash the same. Another prayer made in the PIL petition is that the Court may hold that no animal can be slaughtered/sacrificed outside an abattoir even on special occasions.

3. It has been brought to our notice that the order dated 15th July, 2021 was issued by the Corporation permitting temporary slaughter houses on account of the situation prevailing at the relevant point of time because of the pandemic caused by Covid-19. The learned counsel for the Corporation has categorically stated that the impugned order dated 15th July, 2021 was issued only for the said occasion and that it has been since then lived its life.

4. Accordingly, so far as the prayer relating to quashing of the order dated 15th July, 2021 is concerned, the PIL petition has been rendered infructuous.

5. As far as other prayer is concerned, the prayer appears to be general in nature and hence, the same also cannot be granted in these proceedings.

6. However, we grant liberty to the petitioner to take recourse to any other legal remedy, including filing of PIL/Writ Petition for redressal of his grievances in respect of illegal slaughtering/sacrificing animals.

7. The PIL petition is, thus, disposed of in the aforesaid terms.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)