

AGK

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

WRIT PETITION NO.11564 OF 2024

Rajendra Mahadev Patil ... Petitioner
V/s.
The State of Maharashtra & Ors. ... Respondents

Digitally
signed by
ATUL
GANESH
KULKARNI
Date:
2024.08.21
14:41:51
+05'30'

Mr. Vinod P. Sangvikar for the petitioner.

Mr. P.P. Kakade, Government Pleader with Mr. O.A. Chandurkar, Additional G.P. and Mrs. G.R. Raghuwanshi, Additional G.P. for respondent Nos.1 and 2 – State.

Ms. Jaya Bagwe for the respondent No.4-MPCB.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ &
AMIT BORKAR, J.**

DATED : AUGUST 21, 2024

P.C.:

1. Heard Mr. Sangvikar, learned advocate for the petitioner and Mr. Kakade, learned Government Pleader for respondent Nos.1 & 2 – State authorities. Ms. Jaya Bagwe, learned counsel representing Maharashtra Pollution Control Board (MPCB) has also been heard.

2. This public interest litigation (PIL petition) raises a concern about the alleged air pollution being caused which is

affecting the health of the residents of villages Vahal, Ulwe, Padeghar, Bambavi Pada and Bambavi Koliwada in Taluka Panvel, District Raigad. According to the petitioner, the primary cause of air pollution is unabated stone crushing activity in the area by the stone crushers.

3. In the aforesaid view of the matter, we permit the petitioner to make an exhaustive representation to the MPCB within a fortnight from today, taking all the pleas which may be available to the petitioner enclosing therewith all the documents on which the petitioner intends to rely.

4. Once any such representation under this order is made, the same shall be taken cognizance of by the appropriate authority of the MPCB, and if substance in such representation is found, appropriate inquiry that may be warranted under the facts and circumstances of the case shall be taken and the action which may be warranted under law shall also be taken.

5. The decision on the representation, to be preferred by the petitioner under this order, by the appropriate authority of MPCB shall be taken within four weeks' from the date when representation is received.

6. With the aforesaid observations and directions, the writ petition stands disposed of.

7. We request the learned counsel representing MPCB to convey this order to the appropriate authority of the MPCB.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)