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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14957 OF 2024

MMA CEPT Coop. Society Ltd. ... Petitioner
V/s.
Maharashtra Industrial Development
Corporation & Ors. ... Respondents

Mr. Kiran S. Bapat, Senior Advocate i/by Mr. Rahul
Oak and Mr. Saurabh Kulkarni for the petitioner.

None for the respondent.

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

DATED : OCTOBER 25, 2024

P.C.:

1. Issue notice to the respondents, returnable on **18th November 2024.**

2. Hamdust permitted.

3. The petitioner assails validity of the order dated 4th October 2024 passed by the Deputy Engineer, Maharashtra Industrial Development Corporation (MIDC), Drainage Sub-Division, Mahad, whereby permission for laying HDPE pipeline for direct discharge of treated effluent has been accorded to

the respondent No.3.

4. Drawing our attention to a circular dated 19th August 2020 it has been argued by the learned counsel representing petitioner that such permission by MIDC could not have been granted unless permission from the private land owner (petitioner) was obtained. It has been further stated by the learned counsel for the petitioner that the said guidelines contained in the circular dated 19th August 2020 have been reiterated by the MIDC by issuing a subsequent circular dated 18th June 2021, clause (x) whereof specifically requires permission of the private land owner as a pre-condition for grant of permission for laying down the pipeline carrying the treated effluent.

5. It has been stated on behalf of the petitioner that no such permission from the petitioner as per the requirement of the circulars dated 19th August 2020 and 18th June 2021 was obtained by the respondent No.3.

6. Accordingly, we provide that so far as laying down of the pipeline by respondent No.3 through land belonging to the petitioner is concerned, the respondent No.3 shall not undertake any such construction.

7. We make it clear that this order shall be confined to the portion of pipeline which is passing through the land belonging to the petitioner.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)