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

PUBLIC INTEREST LITIGATION NO.126 OF 2024

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The Kopari Bachav Samittee,
through its president
Harish Prem Sarwan

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Vaibhav R. Gaikwad with Mr. Atharva R.B. and
Mr. Yash M. Naik for the petitioner.

Ms. Neha Bhide, Government Pleader with Mr. O.A.
Chandurkar, Additional G.P. and Mrs. G.R.
Raghuwanshi, AGP for respondent No.1 – State.

Mr. N.R. Bubna for respondent No.2 – Thane
Municipal Corporation.

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

DATED : OCTOBER 21, 2024

P.C.:

1. Heard learned counsel for the petitioner and Mr. Bubna,
learned counsel representing respondent No.2 – Corporation.
2. This petition has been filed by a society comprising of
certain residents of Kopari area, District Thane with a
grievance that certain shopkeepers are storing more quantity
of crackers than permissible during the coming Diwali festival

and that there are certain other shopkeepers who are selling crackers without having any requisite license issued to them.

3. The grievance raised in this petition needs to be attended to in view of the judgment of a Division Bench of this Court dated 17th September 2010 filed by the petitioner – society earlier, namely, Public Interest Litigation No.212 of 2009. The petitioner – society has represented its cause as well to the authorities concerned.

4. Learned counsel representing Corporation has stated that the said judgment dated 17th September 2010 passed by the Court has been followed.

5. However, keeping in view the grievance raised in this petition, we direct the Municipal Corporation to conduct a survey/inquiry in the entire Kopari area and find out as to whether any shopkeeper is storing more quantity of crackers than permissible, and further as to whether any shopkeepers are selling crackers without requisite license.

6. Let the survey/inquiry shall be conducted within one week from today, and in case certain discrepancies are found or shopkeepers are found to have stored more quantity of

crackers as is permissible or some shopkeeper is found running the crackers shop without license, appropriate action which may be warranted under law shall also be taken by the concerned authorities of the Municipal Corporation.

7. The PIL petition stands disposed of in the aforesaid terms.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)