

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

WRIT PETITION NO. 12271 OF 2025

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M/s. Vision Stone Crusher, Through its one ... Petitioner
Partner Sanjay Namdeo Khot

Versus

The State of Maharashtra & Ors. ... Respondents

.....
Mr. Kalyani Mangave a/w Mr. Manoj Patil, Mr. Shubham Kadam and
Mr. Akash Murudkar for the Petitioner.

Mr. Jitendra Jagtap (through VC) for the Respondent No.3 – MPCB.

Mr. S.B. Kalel, AGP for the Respondent – State.

.....
**Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.**

Date : November 18, 2025.

P. C. :

1. Heard learned counsel for the petitioner.
2. It is the submission of the learned counsel for the petitioner that the impugned order dated 12th August 2025 at page No.116 of the paper book, passed by the respondent No.3 – Maharashtra Pollution Control Board (MPCB), which is in the nature of show-cause notice, is nothing but harassment to the petitioner. It is submitted that this

Court by order dated 5th February 2025 passed in PIL No. 156 of 2024 had already concluded the issue. It is submitted that the petitioner is not falling foul of any of the provisions of law and the petitioner's unit is functioning in compliance with the requirements prescribed by law. It is urged that the show-cause notice is issued at the instance of local MLA, which is nothing but harassment.

3. We have perused the affidavit-in-reply tendered by the learned AGP. The same is taken on record. Learned AGP pointed out that notice which was issued is only a show-cause notice for the purpose of measurements. The exercise of taking measurement is completed now.

4. Learned counsel for the respondent No.3 - MPCB submitted that they do not propose to take any action against the petitioner's unit but are only satisfying themselves that the petitioner's stone crushing unit comply with observations in paragraph 7 of the order dated 5th February 2025 passed by this Court in PIL No. 156 of 2024.

5. We find the apprehension of the petitioner absolutely not well founded as no action is contemplated by any of the authorities.

6. If any adverse action is taken against the petitioner, it is always open for the petitioner to avail of the alternate remedy under the provisions of law. Learned counsel for the respondent No.3 - MPCB submits that no action is being taken against the petitioner's unit. However, if at all the respondent No.3 - MPCB wants to take any action, it is submitted that adequate notice will be given to the petitioner in accordance with law.

7. Accordingly, the Writ Petition is disposed of. All the contentions are kept open.

[Ajit B. Kadethankar, J.]

[M. S. Karnik]