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

**WRIT PETITION NO. 8093 OF 2023**

**WITH**

**INTERIM APPLICATION NO. 10629 OF 2024**

**Nilesh Sainath Bhoir**

**.. Petitioner**

**Versus**

**State of Maharashtra & Ors.**

**.. Respondents**

Adv. P. Rajan Yadav for petitioner.

Mr. O. A. Chandurkar, Addl. Govt. Pleader with Mrs. G. R. Raghuwanshi, AGP and Mr. N. K. Rajpurohit, AGP for respondent no.1.

Mr. Tejesh Deshpande for respondent nos.2 & 3-NMMC.

Mr. Ashutosh M. Kulkarni a/w Mr. Akshay R. Kulkarni for respondent no.4-CIDCO.

**CORAM:      ALOK ARADHE, CJ. &  
                     ARIF S. DOCTOR, J.**

**DATE:      17<sup>th</sup> FEBRUARY, 2025**

**P.C.:**

- 1.** Rule. Returnable forthwith. With the consent of the learned counsel for the parties, heard finally.
- 2.** The petitioner is a resident of Juinagar, Sector 23, Navi Mumbai, Thane. The petitioner is aggrieved by the Resolution dated 4<sup>th</sup> June, 2018 passed by the Navi Mumbai Municipal Corporation by which permission has been granted for construction of an Auditorium on Plot No. 272 at Sector 23, Juinagar, Navi Mumbai
- 3.** The grievance of the petitioner, who is resident of the nearby area, is that petitioner as well as residents of the area are facing disturbances in sleep due to late night programme

held at Auditorium. It is the case of the petitioner that the organizers of the programme are not adhering to the norms prescribed under the Noise Pollution (Regulation and Control) Rules, 2000.

**4.** In the aforesaid factual background, prayer has been made by the petitioner to quash and set aside the Resolution dated 4<sup>th</sup> June, 2018 passed by the respondent no.2-Corporation.

**5.** We have heard learned counsel for the parties at length.

**6.** Admittedly, the construction of the Auditorium has been completed pursuant to the Resolution dated 4<sup>th</sup> June, 2018. The writ petition has been filed in the year 2023. Therefore, at this point of time, we are not inclined to grant relief of demolition of the said Auditorium. However, respondent-Navi Mumbai Municipal Corporation is directed to ensure that the programmes in the Auditorium are conducted after obtaining permission from the statutory authorities and shall also ensure that the organizers shall adhere to the norms prescribed in the Noise Pollution (Regulation and Control) Rules, 2000/all statutory rules. Any non-compliance of the aforesaid direction shall be viewed seriously.

**7.** Accordingly, writ petition is disposed of.

**8.** Pending Interim Applications, if any, stand disposed of.

**(ARIF S. DOCTOR, J.)**

**(CHIEF JUSTICE)**