

Jvs.

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

WRIT PETITION NO. 4494 OF 2025

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Janice Smith Animal Welfare Trust	}	Petitioner
versus		
Vasai Virar Municipal Corporation	}	
& Ors.	}	Respondents

Mr. Kirti Munshi, Senior Advocate with
Mr. Ashish Verma for petitioner.

Ms. Swati Sagvekar for respondent no. 1.

Ms. S. D. Vyas, Additional Government
Pleader with Ms. G. R. Raghuwanshi, AGP
for respondent no. 3.

**CORAM: ALOK ARADHE, CJ. &
M. S. KARNIK, J.**

DATE: MAY 7, 2025

ORDER: (Per M. S. Karnik, J.)

1. Learned counsel for the petitioner has tendered draft amendment and seeks leave of this Court to amend the petition in terms of the draft amendment. The said draft amendment is taken on record.

2. The petition is at pre-admission stage. We, therefore, allow the request made by learned counsel for the petitioner to amend the petition in terms of the draft amendment. Amendment be carry out during the course of the day. Reverification is dispensed with.

3. So far as respondent no. 1 is concerned, learned counsel for the petitioner submits that as the petition is worked out as against the respondent no. 1, leave may be granted to delete the said respondent.

4. Leave, as prayed for, is granted. Let the respondent no. 1 be deleted from the array of respondents. Necessary amendment shall be carried out during the course of the day. Reverification is dispensed with.

5. Learned counsel for the petitioner submits that an application for seeking permission of Animal Birth Control Program has already been made by the petitioner to respondent no. 2-the Animal Welfare Board of India on 4th February 2025. Learned counsel submits that the said application is not yet decided and if the application is not decided expeditiously, the same would cause serious prejudice to the petitioner. It is submitted that though there is no requirement to make such an application to the respondent no. 2, nonetheless, the petitioner has by way of an abundant caution, made the application dated 4th February 2025 to the respondent no. 2.

6. Respondent no. 2 has not yet been served. However, in the light of the order that we propose to pass, in our opinion, presence of respondent no. 2 may not be necessary. We are only inclined to direct the respondent no. 2 to decide the application dated 4th February 2025, which is annexed to the draft amendment tendered by the learned counsel for the petitioner, expeditiously and in any case within a period of three weeks from the date a copy of this order is brought to the notice of respondent no. 2.

7. With the aforesaid directions, the writ petition is disposed of.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)