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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 932 OF 2024**

Jagtik Marathi Natyadharmi Nirmata
Sangh

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Dr. Uday Warunjikar with Mr. Sumit S. Kate, Ms. Sonali Chavan and Mr. Jenish Jain for petitioner.

Ms. P. H. Kantharia, Govt. Pleader for respondent nos.1 and 2 – State.

Mr. N. R. Bubna for respondent no.3.

Mr. Jayesh Chiplunkar, Asst. M. V. Prosecutor, Transport Commissioner Office, present.

**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATE: 12th AUGUST, 2025

P.C.:

1. The petitioner is a registered Trust under the provisions of the Maharashtra Public Trust Act, 1950. The petitioner has filed this writ petition in which a direction is sought to respondents to permit use of drama buses by members of the petitioner, which are more than eight years old.

2. A Division Bench of this Court by an order dated 3rd March, 2004 passed in Writ Petition No. 1762 of 1999 had directed the respondents not to allow the vehicles which are more than eight years old to ply on the streets of the Mumbai. The aforesaid direction was presumably issued with a view to avoid pollution. The petitioner use buses which are ten in numbers as drama buses.

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3. Learned counsel for the petitioner submits that the writ petition, namely, Writ Petition No. 1762 of 1999 has been finally disposed of by this Court on 8th July, 2025. The petitioner, therefore, be granted liberty to submit a fresh representation to Commissioner, Transport Department and the said authority be directed to decide the representation in a time bound manner in the light of the order dated 8th July, 2025 passed by this Court in Writ Petition No. 1762 of 1999.

4. On the other hand learned Government Pleader, on instructions, submits that in case the petitioner submits such a representation, the same shall be dealt with in accordance with law.

5. In view of the aforesaid submissions as well as taking into account the fact that Writ Petition No. 1762 of 1999 has already been disposed of by this Court on 8th July, 2025, we grant the liberty to the petitioner to submit a representation with regard to use of the drama buses which are more than eight years old. Needless to state that in case such a representation is made by the petitioner within a period of two weeks from today, the Commissioner, Transport Department shall decide the same within a period of eight weeks by a speaking order.

6. It is made clear that this Court has not expressed any opinion on merits of the case.

7. Accordingly, the writ petition is disposed of.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)