Rekha Patil

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16770 OF 2024

Akash Ulhas Kedare …Petitioner

Versus

The Union of India and Ors. …Respondents

Mr. Lokesh Zade, for the Petitioner.
Mr. Y. S. Bhate, for the Respondent Nos. 1 & 2.
Mr. A. R. Deolekar, AGP, for the Respondent-State.

CORAM: SUMAN SHYAM &
ADVAIT M. SETHNA, JJ.

DATED: 11th AUGUST, 2026.

PC:-

1. The Writ Petitioner herein is a resident of Sogras Shirsane, District – Nashik. Assailing the NOC issued by the Respondent No.3 in favour of the Respondent No.5-M/s, Kalyan Enterprises to set up a High Explosive Storage Maxine within the radius of 2 kilometers of the Gavthan of Borivali, the present Writ Petition has been filed.

2. According to the Petitioner, although, the permissible range is atleast 2 kilometers, yet, the Explosive Storage Maxine has been established by the Respondent No.5 within 700 meter range of the village, thus, causing serious hazard to the inhabitants of the said village. As such, a prayer has been made to cancel the NOC of Explosives Licence on such count.

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3. After examining the material on record, we find that the Petitioner is a resident of Nashik falling in Nashik District, but he is complaining about the Explosive Storage Maxine, which has been set up at Borivali Village, which is a part of Thane District. The Petitioner has failed to show us as to in what manner, he is concerned with the storage system set up in a village in Borivali. The Petitioner cannot maintain any grievance, at the individual level, in respect of the Explosive Storage Maxine at Borivali since he is not a resident of Borivali Village. On a pointed query made by this Court to the learned Counsel for the Petitioner on the above issue, no satisfactory answer could be given by him.

4. If the present Petition was registered as a Public Interest Litigation ('PIL'), then the matter would have been entirely different. However, since the Petitioner has filed the Writ Petition in his individual capacity, raising a grievance which does not directly relate to him, we are of the view that the Writ Petitioner does not have the *locus standi* to institute this Writ Petition. As such, the Writ Petition is held to be not maintainable in law as well as the facts of this Case. The same is accordingly dismissed.

5. The Petitioner would, however, be at liberty to institute any other proceeding including a PIL, on the above subject, in accordance with law, if so advised.

(ADVAIT M. SETHNA, J.) (SUMAN SHYAM, J.)