

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL JURISDICTION**

mmm

PUBLIC INTEREST LITIGATION NO. 17 OF 2011

Nicholas H. Almeida

...Petitioner

Vs.

State of Maharashtra

through its Chief Secretary & Ors.

...Respondents

Mr. G.R. Joshi with Vishal Kanade
i/b. RMG Law Asso., for Petitioner

Mr. J.S. Saluja, AGP for Respondent No.1

Mr. Prashant Chavan i/b. Little & Co., for Respondent No.2

Mr. N.P. Deshpande for Respondent No.3

Mr. C.M. Lokesh for Respondent No.5

**CORAM : MOHIT S. SHAH, C.J. AND
MRS. ROSHAN DALVI, J.**

Date : 1 DECEMBER 2011.

P.C.

1. Learned Counsel for the Petitioner tenders affidavit-in-rejoinder which is taken on record.
2. The Respondent No.3 Maharashtra Pollution Control Board shall file an affidavit along with the report indicating the results of analysis of the effluent being discharged by the industries in the Maharashtra Industrial Development Corporation (MIDC) estates in the State of Maharashtra particularly i.e MIDC estates which are situated at river banks; e.g. the MIDC estate at Mahad, Addl. Mahad, Roha, Taloja, Patalganga, Addl. Patalganga, Murbad, Addl. Murbad, Talegaon, Vilebhagad, Shirol (Kolhapur) and Vasarni (Nanded). If any other industries have been set up by MIDC at river banks, the Respondent No.3 shall also submit report

in that regard.

3. The affidavits shall be filed by 16 December 2011.
4. It is clarified that grant of any permission by the MIDC to any new industry in industrial estate situated on river banks will be subject to any further orders which may be passed in this Petition.
5. The affidavit shall also be filed on behalf of the MIDC indicating the mechanism set up by MIDC to monitor the parameters of effluents being discharged by CETPs in MIDC estates in the State.
6. S.O to 20 December 2011.

CHIEF JUSTICE

ROSHAN DALVI, J.