

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION NO. 17 OF 2011

Nicholas Almeida and others. ... Petitioners
 Versus
 State of Maharashtra and others. ... Respondents

**ALONG WITH
 NOTICE OF MOTION (L) NO.533 OF 2012**

**IN
 PUBLIC INTEREST LITIGATION NO.17 OF 2011**

...
 TATA Steel Limited ...Applicant
 and
 Nicholas Almeida and others. ... Petitioners
 Versus
 State of Maharashtra and others. ... Respondents

...
 ...

Mr. G.R. Joshi with Mr. Vishal Kanade and Kaushika Muthukumar i/by
 M/s. RMG Law Associates for the petitioners.
 Mr. J.J. Saluja, Assistant Government Pleader for Respondent No.1-
 State.
 Mr. Prashant Chavan with Ms.Shyamali Gadre i/by M/s. Little & Co. for
 respondent No.2.
 Mr. Nitin P. Deshpande with Ms. Rachna Chavan for respondent No.3.
 Ms. Madhubala Kajle for respondent No.4.
 Mr. C.M. Lokesh for respondent No.5.
 Dr. Sadhana Mahashabde for respondent Nos.6,9 and 12.
 Mr. J.P. Sen with Dr. Birendra Saraf i/by M/s. Federal Rashmikant for
 respondent No.8.
 Dr.Virendra Tulzapurkar, Sr.Advocate i/b AZB Partners for applicant in
 Notice of Motion (L) No.533 of 2012.

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**CORAM: MOHIT S. SHAH, C.J. &
 ANOOP V. MOHTA, J.**

DATE : 13 December 2012.

P.C.

Learned counsel for MIDC states that in compliance with directions given by this Court in order dated 20 November 2012 notices have been issued to the industries for payment of CEPT charges, for stoppage of drawing water from unauthorized sources and that the individual industrial unit shall permit the CEPT society to collect sample. It is stated that those instructions have been given to industries in MIDC Tarapur and MIDC Dhatav, District: Raigad. Learned counsel further states that similar instructions will be issued to industries in MIDC Lote Parshuram, District: Ratnagiri, MIDC Chincholi, District: Solapur; MIDC Badlapur and also to MIDC Mahad;

2. As far as directions given in paragraphs 7 as well as 14 of our order dated 20 November 2012 are concerned, Mr.N.P.Deshpande, learned counsel for MPCB states that affidavit will be filed in the course of the day indicating compliance with the said directions. Mr.Deshpande, learned counsel also states that in compliance with the directions given in paragraph 14 of the order, the MPCB has already started displaying on its website www.mpcb.gov.in. the performance of 26 CEPTs in the State of Maharashtra.

3. Having regard to the fact that monitoring being done by MPCB and MIDC in various MIDC areas, it is proposed that this PIL shall be listed on every Thursday commencing from January 2013. On the first Thursday of the month (eg. on 3 January 2013) to begin with performance of the industries in MIDC Mahad and MIDC Lote Parshuram, District: Ratnagiri will be considered. On the second Thursday of the month (eg. 10 January 2013) the Court will consider

the performance of industries in MIDC Chincholi and MIDC Badlapur, District Thane and on third Thursday of the month (eg. 17 January 2013) the Court will consider the performance of industries in MIDC Morivali and MIDC Dhatav, District: Raigad and on the fourth Thursday of the month (eg. 24 January 2013) the Court will consider the performance of the industries in MIDC Tarapur.

4. MPCB shall file reports of performance of the CEPT in the concerned MIDC areas one week prior to the date of hearing.

5. Notice of Motion (L) No.533 of 2012 shall be listed on 24 January 2013.

CHIEF JUSTICE

(ANOOP V MOHTA, J.)