

**IN THE COURT OF THE METROPOLITAN MAGISTRATE,
65TH COURT, ANDHERI, MUMBAI.
C. C. NO. 159/SW/14**

Date of offence	In the year 2013-2014.
Date of complaint	25/03/2014.
Name, age and residence of the complainant	Maharashtra Pollution Control Board, represented by R. R. Vasave, Having Office at:- Raikar Chamber, Near Govandi Station, Govandi, Mumbai, 88.
Name, age and residence of the accused.	1) M/s. Windsor Realty Pvt. Ltd., 2) Mr. Gopal Narang (Director) 3) Mr. Akshay Raheja (Director) All having add. at -Windsor, Off CST Road, Near BKC, Santacruz, E., Mumbai, 98.
Under Section	Under Section 15 of Environment (Protection) Act 1986 r/w the Environment Impact Assessment Notification 2006(EIA Notification 2006).

Particulars of offence :- That you accused in 2013-2014 at CFS No. 1A/1/B/7A/1, 1A/1/B/7A/3, 1A/1/B/7A/4, 1A/1/B/4, 1A/1/B/5 and 1A/1/B/8, in front of Megha Mall, Meera Tower, Goregaon Village, Goregaon, carried out construction more on 2000 sq,mtrs. without obtaining prior Environment Clearance from the Government of Maharashtra as per requirement of and thereby violated provisions of Environment Impact Assessment Notification 2006 and thereby committed an offence punishable Under Section 15 of Environment (Protection) Act 1986 and within the cognizance of this court.



Date:- 07/04/2016 ★

epah 1
7/4/16
(C. V Patil),
Metropolitan Magistrate,
65th Court, Andheri, Mumbai.

PLEA OF THE ACCUSED.

- Q. 1 Have you received the papers?
 Ans. Yes.
- Q. 2 Have you understood the charge ?
 Ans. Yes.
- Q. 3 Do you plead guilty to the charge ?
 Ans. Yes, we do plead guilty.

Signature of Accused No. 1
 Signature of accused No. 1

Signature of Accused No. 2
 Signature of accused No. 2

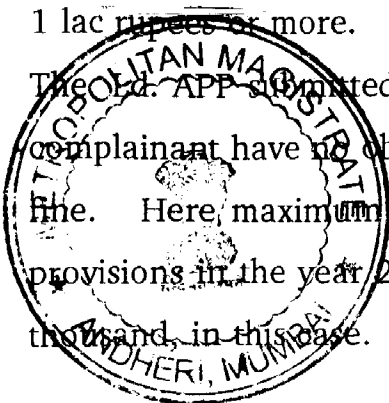
Signature of Accused No. 3
 Signature of accused No. 3

Patil
7.4.16
 (C. V. Patil),

Metropolitan Magistrate,
 65th Court, Andheri, Mumbai.

ORDER

Today complainant Vasave present with Advocate Suryavanshi. Accused no. 2 and 3 present with their advocate. Accused no. 2 and 3 move application for plead guilty. They had also put their signature on behalf of accused no. 1, being the director of the company. Here the offence alleged Under Section 15 of Environment (Protection) Act 1986 r/w the Environment Impact Assessment Notification 2006 (EIA Notification 2006). Section 15 of that Act provides punishment for a term which may extend five years or with fine, which is extend to 1 lac rupees or more. I had called say of the complainant as well as the Ld. APP. The Ld. APP submitted that, maximum fine may be imposed on the accused. the complainant have no objection to accept the plea of accused, by imposing maximum fine. Here, maximum fine amount is upto 1 lac U/sec. 29 of Cr. P. C. amended provisions in the year 2007, this court can imposed maximum fine amount upto 50 thousand, in this case. Considering nature of offence and say of the prosecution I



1)
offer

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159/SW/14

proceed to pass the following order.

ORDER

1) The accused no. 1 to 3 are Convicted vide Sec. 241 of Cr. P. C. for the offence i.e. Violation of Provisions of Environment Impact Assessment Notification 2006, punishable under section 15 of Environment (Protection) Act 1986 and accused no. 1 to 3 sentence to pay fine of ₹ . 25,000/- each (Twenty Five thousand each) jointly and severally in default accused no. 2 and 3 to suffer S. I. for two months each.

2) Copy of the order be given free of cost to the accused.

epah 1
7/4/16
(C. V. Patil),

Metropolitan Magistrate,
65th Court, Andheri, Mumbai.

Mumbai.

Date :- 07/04/2016

akj.

acc. no. 1 to 3
Rs. 25000/- each
Fine Paid

7/4/16
Cashier,
Andheri Centre of Courts,
Andheri.

// True Copy //

27-6-16
Judicial Clerk
Metropolitan Magistrate's
65th Court, Andheri, Mumbai.

Gopendra
Abhy



Appln. No: 458/16
Applicant: *ADV*
Applied On: 7/06/16
Ready On:
Delivered On: 7/27/06/16