

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 10582/2017

MUNICIPAL COMMISSIONER,
ULHASNAGAR MUNICIPAL CORPORATION

Appellant(s)

VERSUS

VANASHAKTI PUBLIC TRUST & ORS.

Respondent(s)

(IA No.66013/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.66011/2017-PERMISSION TO BRING ON RECORD ADDITIONAL FACTS AND DOCUMENTS and IA No.66012/2017-STAY APPLICATION and IA No.66789/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

WITH

C.A. No. 10794/2017 (XVII)

C.A. No. 10795/2017 (XVII)

C.A. No. 10796/2017 (XVII)

Date : 06-10-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Appellant(s)

Mr. P.S. Narsimha, ASG
Mr. Saket Mone, Adv.
Mr. Ninad Lad, Adv.
Mr. Anjuman Tripathy, Adv.
Mr. Kush Chaturvedi, AOR
Ms. Anshula Grover, Adv.
Ms. Somay Kapoor, Adv.
Mr. Aman Varma, AORMr. Subrat Birla, Adv.
Mr. S. C. Birla, AOR

For Respondent(s)

Mr. Colin Gonsalves, Sr. Adv.
Ms. Tanya Agarwal, Adv.
Mr. Satya Mitra, AOR
Mr. Zaman Ali, Adv.Mr. Mukul Rohatgi, Sr. Adv.
Mr. Gaurav Agarwal, Adv.
Mr. Mukesh Verma, Adv.
Mr. Pawan Kumar Shukla, Adv.

Mr. Yash Pal Dhingra, AOR

Mr. Saurabh Mishra, AOR
Mr. Abhishek Singh, Adv.

Mr. Arpit Rai, Adv.
Mr. Ramni Taneja, Adv.
Mr. Soumik Ghosal, Adv.
Mr. Gaurav Singh, Adv.
Mr. Guruprasad Pal, Adv.

UPON perusing papers the Court made the following

O R D E R

We are dissatisfied with the affidavits filed by the Maharashtra Pollution Control Board as well as the Environment Department, Government of Maharashtra.

Even on a cursory reading of the affidavits, it is clear that there is absolutely no intention or will on the part of the authorities to take any action to improve the situation.

In our order dated 14.08.2017, we had indicated that *prima facie* it appears to us that there is no co-ordination or coordinated efforts between the various authorities to protect Ulhas river as well as Walduni river. In addition to a lack of coordinated efforts, we find there is no will to do anything even if there is some co-ordination.

Under the circumstances, we are constrained to direct the presence of the Chief Secretary of the State of Maharashtra as well as the Commissioner of Ulhas Municipal Corporation.

The Chief Secretary of the State of Maharashtra and the Commissioner of Ulhas Municipal Corporation should be present before us on the next date of hearing to explain what they propose to do to improve the situation, how they propose to do it and

within what time they propose to do it.

List the matters on 14.11.2017.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER