

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

P.I.L. NO. 71 OF 2006

A/W.

P.I.L. NO. 83 OF 2006

[IN PIL 71 OF 2006]

MR. H.V.GALA WITH MR. K.K.TATED FOR THE PETITIONERS.

MR. N.P.DESHPANDE AGP FOR RESPONDENT NO. 1 & 2.

MR. V.B.NAIK FOR RESPONDENT NO.3.

MR. A.L.PATKI FOR RESPONDENT NO. 4 & 5.

MR. MILIND SATHE SR. COUNSEL WITH A.K.SAXENA FOR
RESPONDENT NO. 6.

[IN PIL 83 OF 2006]

MR. H.V.GALA WITH MR. K.K.TATED FOR PETITIONERS.

MR. N.P.DESHPANDE AGP FOR RESPONDENT NO. 4 & 5.

MR. RAJIV KUMAR I/B. M/S. VYAS & BHALWAL FOR
RESPONDENT NO.1

MR. NITIN JAMDAR FOR RESPONDENT NO. 6

MR. A.L.PATKI FOR RESPONDENT NO. 7 & 8.

MR. A.K.SAXENA FOR RESPONDENT NO.10.

CORAM : J.N.PATEL & A.A.SAYED, JJ.

DATE : June 6, 2007.

P.C. :

1. By these Public Interest Litigations, petitioners are challenging the decision of the Municipal Corporation to start the Modern Slaughter Houses.

2. This Court has nominated a Committee, headed by Shri Justice C.S. Dharmadhikari, former Judge of this Court. Therefore, we are of the view that the Court should seek opinion of the Committee on the issues involved in these petitions and for the said purpose, we direct the Petitioners to deposit a sum of Rs. 50,000/- (Rupees fifty thousand only) in this Court, towards the initial expenses required to be incurred by the Committee, which includes their honorarium and other allowances like T.A. and D.A., within a period of two weeks. On such amount being deposited the Registrar (Judicial) to send a letter of request to the Chairman of the Committee alongwith the copies of the Record and Proceedings, to examine the issues raised in these petitions and submit their opinion to this Court, preferably within a period of three months, from the date of receipt of letter of request and all necessary record.

3. Needless to say that all the concerned parties would extend full co-operation to the Committee in completing the assignment.

4. The learned Counsel for the Petitioner submitted that this Court may restrain the Respondent Municipal Corporation from operating the Slaughter Houses. In our view, it will be proper to take into consideration the opinion of the Committee for examining the issues raised in the matter, as funds from the public exchequer, which includes Central Grants in Aid, State Grants in Aid and Municipal Funds have been spent in the construction of the Slaughter Houses.

5. Liberty to the parties to revive their request for interim relief, after the Committee submits its opinion to this Court.

6. We, however, make it clear that this Court would dispose of the Petitions at the stage of admission itself. Matters be listed for admission after receipt of the opinion of the Committee.

[A.A.SAYED, J.] [J.N.PATEL, J.]