

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 98 OF 2005

Vasant Mhatre.Petitioner
Versus
Navi Mumbai Municipal Corporation
and others.Respondents

**ALONGWITH
WRIT PETITION NO. 1740 OF 1998**

Shri. Vinay Laxman Tatke.Petitioner
Versus
The Navi Mumbai Municipal Corporation
and others.Respondents

Ms. Tanmayi Rajadhyaksha i/b Mr. Rahul S. Thakur for the Petitioner
in PIL.98/05.

Mr. Nimay Dave a/w Mr. Vijayendra Purohit i/b M. K. Ambalal & Co.
for the Petitioner in WP.1740/98.

Mr. R. S. Apte, Senior Counsel a/w Mr. A. A. Garge for Respondent
No. 1.

Mr. Sandeep Shinde, Government Pleader a/w Mr. P. G. Sawant, AGP
for Respondent Nos. 2 and 6 to 8.

Mr. R. V. Govilkar a/w Mrs. Ujwal Sawant for Respondent No. 5 in
PIL.98/05 and Respondent No. 8 in PIL.1740/98.

Mrs. Jyoti Chavan a/w Ms. Shyamali Gadre i/b Little & Co. for
Respondent No. 4 in PIL.98/05 and Respondent No. 18 in PIL.1740/98
(MIDC).

**CORAM: S. J. VAZIFDAR &
G. S. PATEL, J.J.**

DATED : DECEMBER 18, 2013.

P.C.:

Mr. Govilkar, the learned counsel appearing on behalf of MPCB seeks time to file an affidavit. MPCB shall file an affidavit on or before 15th January, 2014. MPCB is directed to file an affidavit including on the following questions :

- (I) Whether the dumping site itself meets the requirements of law including the Municipal Solid Wastes (Management and Handling) Rules, 2000 especially the site selection criteria prescribed therein.
- (II) Whether or not the order dated 2nd April, 2013 and in particular Clause-10 thereof has come into effect.
- (III) Why the land fill and dumping of solid waste is being permitted to continue at the same site despite what is stated in paragraph 3 of the affidavit of Mr. A. F. Deshmane, Incharge Regional Officer- Maharashtra Pollution Control Board at Navi Mumbai, dated 30th August, 2013.

3. It is clarified that this order pertains only to the site which is the subject matter of Public Interest Litigation No. 98 of 2005 and Writ Petition No. 1740 of 1998.

4. Stand over to 17th January, 2014.

(G. S. PATEL, J.)

(S. J. VAZIFDAR, J.)