

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION NO.65 OF 2017

Sunil Shukla

... **Petitioner**

V/s.

The State of Maharashtra,
Mantralaya, Mumbai and ors.

... **Respondents**

Ms. Priscilla Samuel for the Petitioner.

Mrs. Jyoti Chavan, AGP for Respondent No.1/State.

Ms. Trupti Puranik with Ms. Pooja Yadav for Respondent Nos.2
and 3/Corporation.

**CORAM :DR. MANJULA CHELLUR, C.J.&
M.S.SONAK, J.**

DATE : NOVEMBER 10, 2017.

P.C. :

1. Heard learned counsel for the parties.

2. The Petitioner complains about dereliction in the matter of discharge of civic duties by the Municipal Corporation of Greater Mumbai in not clearing the filth and garbage near Aarey Powai Road, Mumbai. Alongwith the Petition some photographs have also been annexed, which if accurate, do indicate failure to take steps to either prevent use of public places or public areas adjoining the Aarey Powai Road for unauthorized disposing of garbage and filter of filth.

3. We therefore direct the Municipal Corporation of Greater Mumbai to treat this PIL as a complaint and further to inspect the site in question and to take necessary steps to clear the garbage and filth at the Aarey Powai Road. This exercise is to be completed as expeditiously as possible and in any case, within a period of one month from today.

4. From the photographs placed on record, we prima facie find that this is a case of public nuisance. Therefore, the concerned police authorities should also look into the matter and if necessary, take action against the people who are dumping the waste recklessly in the non-designated areas, along Aarey Powai Road.

5. We dispose of this PIL with aforesaid directions.

6. All concerned to act on the authenticated copy of this order.

(M.S.SONAK,J.)

(CHIEF JUSTICE)

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