



me

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

WRIT PETITION NO.3195 OF 2018
WITH
CHAMBER SUMMONS (L) NO.254 OF 2019
IN
WRIT PETITION NO.3195 OF 2018
WITH
CHAMBER SUMMONS (L) NO.262 OF 2019
IN
WRIT PETITION NO.3195 OF 2018
WITH
CHAMBER SUMMONS (L) NO.260 OF 2019
IN
WRIT PETITION NO.3195 OF 2018
WITH
CHAMBER SUMMONS NO.235 OF 2019
IN
WRIT PETITION NO.3195 OF 2018

JIV Maitri Trust

...Petitioner

V/S

Union of India & Ors.

...Respondents

...

Ms. Siddh Vidya a/w. Ms. Shalaka Parkar a/w. Ms. Sunita Rai, for the
Petitioner.

Mr. Anil Sakhare, Senior Advocate a/w. Mr. Joel Carlos, Ms. Shilpa

Redkar, for Respondents No.5 and 6.

Ms. P.H. Kantharia, Govt. Pleader for Respondents No.4 and 14.

Mr. Advait Sethna a/w. Mr. D.P. Singh i/by. Mr. A.A. Ansari, for Respondents No.1 to 3 and 8.

Ms. Jaya Bagwe, for Respondent No.9.

Mr. Abdul Kadar Lokhandwala i/by. Ms. Sukanya Bhaumik, for Respondent No.12.

Mr. Zain Khan, Mr. Ashraf Kapoor, Mr. Nayed Mulla, Mr. Mubin Salkar, Mr. Sultan Khan, Mr. Ubaid Ghawte a/w. Mr. Danish Ansari for Intervenor in CHSL No.-262-2019.

...

**CORAM: NITIN JAMDAR, ACJ &
SANDEEP V. MARNE, J.**

DATE : 8 JUNE 2023.

P.C.:

We have heard learned Counsel for the parties.

2. This petition filed in the year 2018 challenges the public notices issued by the Municipal Corporation of Greater Mumbai in respect of the animals sacrificed/slaughtered. Various orders have been passed in these petitions since the year 2018. On 21 August 2018, the

Division Bench observed that the Municipal Corporation should frame comprehensive regulatory mechanism/policy so that religious festivals/events where such animals' sacrifice/slaughtering takes place, can be regulated in orderly manner keeping in view the mandate of law and local conditions of the City. The Counsel for the Municipal Corporation had also stated that all parties to the petition are free to give suggestions to the Municipal Corporation for framing of the said policy. Thereafter, an order was passed on 6 August 2019 wherein it was expected that the Municipal Corporation would maintain all applicable safety, hygiene public safety norms. Thereafter, a policy was framed to grant temporary NOC for slaughtering of animals on the occasion of any festival or ceremony or such circumstances. The policy refers to the orders passed by this Court. The policy came in force on 1 August 2019.

3. The learned Senior Advocate for the Municipal Corporation states that the policy which is in force from the year 2019 is revised from time to time as per need and is also modified in the year 2013. Learned Counsel states that the issue comes up every year during the concerned religious festival and the matter is dealt with from time to time.

4. The learned Counsel for the Petitioner states that the Petitioner has amended the petition to incorporate certain further prayers and has referred to certain statutory requirements. The learned Counsel

for the Petitioner accepts that when the petition was filed there was no policy, however there is a policy in force currently.

5. As regards the legal challenges sought to be raised by the Petitioner, we issue **Rule** in this petition. Respondents waive service. Respondents who have not filed reply, shall do so.

6. As regards the position in the meanwhile is concerned, the policy is already in place and it is being modified from time to time as per the requirement. The Municipal Corporation is also governed by various statutory provisions. Therefore, the applications received by the Municipal Corporation would be dealt with as per the policy framed and in existence, as modified from time to time. As regards the complaints/grievances raised by the citizens are concerned, learned Senior Advocate for the Municipal Corporation states that public notice in newspaper is put up giving a toll-free number for lodging complaints. In addition, we direct that the Municipal Corporation should also make the Grievance Forum available to complainants/citizens by way of an email. The policy, e-mail address and toll-free numbers also shall be prominently displayed on the website of the Municipal Corporation, atleast for the concerned period. The learned Senior Advocate states that once complaints are received on the helpline, email etc. specific task force would be available 24 x 7 to redress the issue.

7. The Chamber Summons filed in the petition to be heard alongwith the main petition.

SANDEEP V. MARNE, J.

ACTING CHIEF JUSTICE