

ITEM NO.21

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No.41937/2024

(Arising out of impugned final judgment and order dated 30-08-2024 in OA No.174/2024 passed by the National Green Tribunal, western Zone, Pune)

YUVA VADYA PATHAK TRUST

Appellant(s)

VERSUS

KALYANI MANDKE & ORS.

Respondent(s)

(With APPLICATION FOR PERMISSION TO FILE CIVIL APPEAL, APPLICATION FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, APPLICATION FOR EXEMPTION FROM FILING O.T. OF ANNEXURES AND APPLICATION FOR STAY)

Date : 12-09-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Pai Amit, AOR
Mr. Siddharth S. Chapalgaonkar, Adv.
Mr. Tejas Dandgawal, Adv.
Mr. Ritwik Joshi, Adv.
Ms. Pankhuri Bhardwaj, Adv.
Ms. Sneha Botwe, Adv.
Mr. Nikhil Pahwa, Adv.
Mr. Kushal Dube, Adv.
Mr. Abhiyudaya Vats, Adv.

For Respondent(s) Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Anirudha Pande, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

- 1 Permission to file the Civil Appeal is granted.
- 2 The challenge in these proceedings is confined to direction (IV) in paragraph 27 which was issued by the National Green Tribunal on 30 August 2024.
- 3 Mr Amit Pai, counsel appearing on behalf of the appellant submits that the direction will seriously affect the troupes who engage in dhol-tasha-zanj work during the Ganapati festival and the order has been passed without hearing a representative section.
- 4 Issue notice, returnable in three weeks.
- 5 Mr Siddhartha Dharmadhikari, counsel appears on behalf of the respondent Nos 2, 3 and 4 and waives service.
- 6 Till the next date of listing, there shall be a stay of operative direction (IV) in the impugned order dated 30 August 2024 of paragraph 27, which is set out below:

“Police department to ensure that the total number of Dhol+Tasha+Zanj members in each troupe during Visarjan Procession shall not exceed 30 in number.”
- 7 List the Civil Appeal on 4 October 2024.

(CHETAN KUMAR)
A.R. - cum - P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar