

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**907 SUO MOTO (PIL) NO. 8 OF 2020**

**THE REGISTRAR (JUDICIAL)  
VERSUS  
THE STATE OF MAHARASHTRA AND ORS.**

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Advocate for Petitioner : Mr. S.S. Bora  
GP for Respondent Nos.1 & 4 to 7: Mr. D.R. Kale & Mr. S.R. Yadav Lonikar  
Advocate for Respondent No.2/ASG: Mr. A.G. Talhar  
Advocate for Respondent No.3: Mr. P. P. More  
Advocate for Respondent No.8: Mr. A. P. Bhandari

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**CORAM : RAVINDRA V. GHUGE &  
SMT. VIBHA KANKANWADI, JJ.  
(VACATION COURT)**

**DATE : 31.12.2020**

**PER COURT :**

1. Issue notice to the respondents. The learned Government Pleader has caused an appearance on behalf of respondent Nos.1 and 4 to 7. Shri. Talhar, the learned ASG causes an appearance on behalf of respondent No.2. Shri. P. P. More, the learned advocate waives service of notice on behalf of respondent No.3. Shri. A. P. Bhandari, the learned advocate waives service of notice on behalf of respondent No.8.
2. Pursuant to our order dated 30.12.2020, Shri. Bora, the learned amicus-curiae has filed an exhaustive petition. He has placed before us certain orders passed by the National Green Tribunal, Principal

Bench, New Delhi dated 11.07.2017 and 21.01.2020 which clearly indicate that the learned Green Tribunal had called upon the Union of India and other respondents to make a statement as regards the compliance of its earlier order dated 11.07.2017, vide which the use of the nylon thread/synthetic material coated with synthetic substance, which is non-biodegradable, for kite flying, has been prohibited.

3. The learned Government Pleader fairly submits that respondent Nos. 4, 6 and 7 have immediately swung into action and they are ensuring that none of the shop keepers/traders/selling outlets etc. would be permitted to sell such type of threads for kite flying or for any purpose whatsoever. He submits that such shops/outlets would be subjected to surprise inspection today itself on war footing and offences would be registered against such shop keepers/outlets. He further submits that the authorities would not hesitate to even shut down such shops by following the due procedure of law. The action which is to be initiated today itself, would be brought to the notice of this Court tomorrow, considering the extreme urgency involved in this matter.

4. In view of the above, stand over to 01.01.2021 in the 'Urgent Orders Category. The action taken in the course of the day shall be brought to our notice tomorrow. Moreover, whichever shop/outlet or selling booth is found with such type of threads, the entire quantity of

such threads would be confiscated and offences would be registered against such shop keepers. So also, the police authorities would ensure that such threads are not being used even for flying kites and those citizens found to be using such threads for kite flying, either on the streets or on roof tops, would also be subjected to police action.

(SMT. VIBHA KANKANWADI, J.)

(RAVINDRA V. GHUGE, J.)

Sameer