

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 SUO MOTO (PIL) NO.8 OF 2020

THE REGISTRAR JUDICIAL HIGH COURT OF BOMBAY BENCH AT
AURANGABAD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr.S.S.Bora, Amicus Curiae, for the petitioner.
Mr.D.R.Kale, Govt.Pleader for respondent Nos.1, 4 to 7, 9 to 30.
Mr.R.R. Bangar, Standing Counsel for respondent No.2.
Mr.P.P.More, Advocate for respondent No.3.
Mr. A.V. Hon, advocate for respondent No.6
Mr.A.P.Bhandari, Advocate for respondent No.8.
Mr.L.V.Sangit, Advocate for respondent No.31.
Mr.A.S.Sawant, Advocate for respondent No.32.
Mr.K.N. Lokhande, Advocate for respondent No.33.
Mr.D.M.Shinde, Advocate for respondent No.35.
Mr.R.K.Ingole, Advocate for respondent No.37.
Mr. S.S. Thombre, advocate for respondent No.38-University

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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 8th DECEMBER, 2022.**

PER COURT :-

1. Considering our order dated 01.12.2022, this matter was posted to 20.12.2022 at 4.30 p.m. However, yesterday, at mentioning time, the learned amicus curiae brought to our notice certain news published in local Daily newspapers from Aurangabad, citing incidents of accidents that have occurred on account of *Nylon Manja*. The pictures, for representational purpose, were published in such newspaper reports high lighting the menace of *Nylon Manja*. The learned amicus curiae has also mentioned about some sports

activities going on in the University premises and the sports persons, who are practicing or undergoing training, are suffering obstacles on account of *Nylon Manja*. Hence, we preponed the hearing of this matter.

2. The learned Chief Government Pleader and the learned advocate representing the Aurangabad Municipal Corporation are before us. Shri Bhandari, the learned advocate for the Aurangabad Municipal Corporation submits that the awareness programmes have also been initiated by the Aurangabad Municipal Corporation in collaboration with Life Care Animal Welfare Association, Animal Planet Multi Services by which colour photographs in vernacular language with appropriate messages are being circulated in the town to dissuade those, who intend to fly or are flying kites, to refrain from using the *Nylon Manja*.

3. Considering the same, we deem it appropriate that the organization involved in such awareness programme with collaboration of AMC, shall also involve the Police department as one of the participants in the awareness programme. We request the Commissioner of Police, Aurangabad, to involve the police department in such awareness programme and permit to paste the police Logo on the posters. We direct the AMC and the local administration to ensure that such awareness programme is taken right upto the schools and colleges, making it compulsory to such

schools and colleges to affix such posters on their notice board and to be distributed to the students in order to make them aware that the *Nylon Manja* is not to be used for flying kites and indulgence in such acts would also invite penal action. It would be appropriate for the class room teachers to spend at least one minute daily on this aspect, during their class room lectures to make the young generation taking education in the schools as well as in colleges, fully aware of the ill effects of use of *Nylon Manja* and the fact that it's use is prohibited.

4. We deem it appropriate to request the learned amicus curiae to add the shop owners' Association at Aurangabad through it's President and Secretary and Dr. Babasaheb Ambedkar Marathwada University, Aurangabad, as respondents in the P.I.L., so as to seek their positive assistance in ensuring that none of their shop owner members either transport or sell the *Nylon Manja*. Addition be carried out by Wednesday i.e. on 14.12.2022.

5. After addition of these parties, office to issue notice forthwith, returnable on 20.12.2022. This matter will be called out at 4.30 p.m.

6. The learned amicus curiae graciously submits that he would request the local newspapers, like Dainik Lokmat, Dainik Sakal, Dainik Divya Marathi, Dainik Punya Nagari, not to charge anything for publishing the notices, which is in view of the order of this Court, for a

social cause.

7. Needless to state, whatever is stated in this order is not restricted only for the Aurangabad Municipal Corporation, but for all the Corporations and statutory authorities as well as the public bodies/authorities in the region, amenable to the jurisdiction of this Court.

8. We expect, the learned Chief Government Pleader, Shri Kale, would circulate this order to his counter parts at the Principal Seat at Bombay and Bench at Nagpur.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

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