



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

**PUBLIC INTEREST LITIGATION NO. 21 OF 2024
WITH
INTERIM APPLICATION (L) NO. 17062 OF 2024**

**Al-Quraish Human Welfare
Association & Ors.**

.. Petitioners

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. M. M. Vashi, Senior Advocate a/w Mr. A. A. Siddiquie a/w Chowdhari Moin i/by A. A. Siddiquie and Associates for petitioners.

Mr. Milind V. More, Addl. Govt. Pleader for respondent nos.1, 2, 3 and 5.

Digitally signed
by PRAVIN
DASHARATH
PANDIT
Date:
2025.04.22
20:40:31
+0530

**CORAM: ALOK ARADHE, CJ. &
M. S. KARNIK, J.**

DATE: 22nd APRIL, 2025

ORAL ORDER [Per Chief Justice]:

- 1.** Rule. Rule is made returnable forthwith. With the consent of the learned counsel for the parties, heard finally.
- 2.** The petitioner no.1 claims to be an Association engaged in the activities of human welfare. The petitioner no.2 is the Secretary of petitioner no.1-Association.
- 3.** In this Public Interest Litigation, the petitioners are aggrieved by the order dated 17th May, 2022 passed by the Principal Secretary, Ministry of Animal Husbandry, Dairy

Development and Fisheries Department by which the representation submitted by the petitioners has been rejected on the ground that it is expedient to constitute a Committee of an expert to decide the issue regarding the definition of animals "not suitable for" milch, breeding, draught or agricultural purposes under the provisions of the Maharashtra Animal Preservation (Amendment) Act, 1995 (the Act of 1995). The petitioners, *inter alia*, seek a direction to fix the criteria/age for bull and bullocks available for slaughter by interpreting the provisions of the Act of 1995. The petitioners have submitted a representation to the Principal Secretary, Ministry of Animal Husbandry, Dairy Development and Fisheries Department and had urged him to give a permission for slaughtering of animals which are not suitable for milch, breeding, draught or agricultural purposes. The aforesaid representation submitted by the petitioners has been disposed of by the Principal Secretary, *inter alia*, on the ground that a Committee of experts is necessary to evolve guidelines for grant of permission in respect of animals which are not suitable for milch, breeding, draught or agricultural purposes.

4. In the aforesaid factual background, petitioners have approached this Court.

5. Learned Additional Government Pleader, on instructions, submits that by Government letter dated 28th February, 2025, the issue in respect of definition of animals "not suitable" for milch, breeding, draught or agricultural purposes in the light of the provisions of the Act of 1995, is referred to the Committee, which is headed by a former Judge of this Court, namely, Justice Abhay Thipsay. It is further submitted that

the Committee shall examine the issue with regard to laying down the guidelines within such time limit as this Court may deem fit. The learned Senior Advocate for the petitioners submits that the representative of the petitioners be also permitted to put-forth his view before the said Committee and the Committee be directed to decide the issue with regard to laying down the guidelines within the time bound period.

6. We have considered the submissions made on both sides. The expression "not suitable" has not been defined under the Act of 1995. Therefore, it is necessary to lay down the guidelines in this regard. The aforesaid issue with regard to laying down the guidelines has to be dealt with by an expert committee. In our opinion, the State Government, therefore, has rightly constituted an expert committee. We, therefore, deem it appropriate to issue following directions:

(i) The Committee constituted by the State Government vide letter dated 28th February, 2025 shall take into account that the term "not suitable" has not been defined under the Act of 1995 and shall lay down the guidelines with regard to animals which are not suitable for milch, breeding, draught or agricultural purposes within a period of four months from the date of receipt of copy of this order passed today.

(ii) It will be open for the representative of the petitioners to put-forth his view before the Committee which has been constituted by the State Government.

7. It is made clear that this Court has not expressed any opinion on merits of the matter.

8. Accordingly, PIL is disposed of.
9. Interim Application(s), if any, shall stand disposed of.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)