



Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.90 OF 2025

ROHIT KAMBLE son of PRAKASH KAMBLE	]	
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Versus

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|----|--|---|--|
| 1. | The State of Maharashtra |] | |
| | Though its Chief Secretary to |] | |
| | The Government of Maharashtra State |] | |
| | 6 th Floor, Mantralaya, Mumbai |] | |
| | PIN Code: 400 032. |] | |
| 2. | The State of Maharashtra |] | |
| | Through Its Additional Chief Secretary |] | |
| | (Forests) Revenue and Forest Department |] | |
| | Government of Maharashtra, |] | |
| | Mantralaya, Mumbai, PIN Code: 400 032 |] | |
| 3. | The State of Maharashtra |] | |
| | Through its Principal Chief Conservator of |] | |
| | Forests (HoFF), Forest Department |] | |
| | Vanbhavan, Ramgiri Road, |] | |
| | Civil Line, Nagpur, PIN Code: 440 001 |] | |

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|----|--|---|-------------|
| 4. | The Union of India |] | |
| | Through Its Secretary for Ministry of |] | |
| | Road Transport and Highways |] | |
| | Government of India |] | |
| | Transport Bhavan, 1, Parliament Street |] | |
| | New Delhi, Pin Code : 110 001 |] | |
| 5. | The Government of Maharashtra |] | |
| | Through its Additional Chief Secretary |] | |
| | Public Works Department |] | |
| | Government of Maharashtra, |] | |
| | Mantralaya, Mumbai PIN Code: 400 032. |] | Respondents |

a/w
INTERIM APPLICATION NO.11148 OF 2025
IN
PUBLIC INTEREST LITIGATION NO.90 OF 2025

Uday Dinkarrao Wadkar	]	Applicant
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IN THE MATTER BETWEEN:

Rohit Kamble son of Prakash Kamble	]	Applicant
Versus		
The State of Maharashtra through Chief Secretary	]	
and others	]	Respondents

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Mr. Rohit Prakash Kamble – Petitioner in person.

Ms. T.J. Kapre, A.G.P, for Respondent – State.

Mr. Kedar Lad a/w Mr. Satyajeet Shirke, for Applicant in Interim Application No.11148 of 2025.

Mr. Manoj A. Patil a/w Mr. Siddesh S. Kadam a/w Mr. Shubham R. Dhenge a/w ms. Kalyani M. Mangave a/w Ms. Prajkta Koli a/w Mr. Akash M. Murudkar as Amicas Curiae.

Mr. Milish Sharma, DCF, Sawantwadi and Mr. Sanjay Waghmode, DFO (Vigilance), Kolhapur Circle present.

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**CORAM : M.S. KARNIK &
AJIT B. KADETHANKAR, JJ.**

DATE : 12th NOVEMBER, 2025.

ORAL ORDER: [PER M.S. KARNIK, J.]:

1. This petition, filed in public interest, pertains to the protection and welfare of the wild elephant 'Omkar'. The issue of human – elephant conflict has arisen consequent to Omkar having strayed from his herd and having entered human habitation areas. According to the Forest Department, it has become necessary to capture Omkar in view of the grave threat posed both to 'Omkar' and to human life and property.

2. It is the stand of the Forest Department that the sole facility that has expressed willingness to accommodate Omkar for the purpose of providing shelter, training and rehabilitation is the Radha Krishna Temple Elephant Welfare Trust (Vantara). The petitioner and the intervenor, however, have objected to the proposed translocation of Omkar to Vantara, contending that such translocation would result in the elephant losing his natural instincts, which are essential for his survival in the wild.

3. The Wild Life (Protection) Act, 1972 ("the Act" for short) was enacted for providing the conservation, protection and management of wild and for matters connected therewith or ancillary or incidental thereto with a view to ensure the ecological and environmental security of the country. The Statement of Objects and Reasons indicate the rapid decline of India's wild animals and birds, one of the richest and most varied in the world, has been a cause of grave

concern. Some wild animals and birds have already become extinct in this country and others are in the danger of being so. Areas which were once teeming with wild life have become devoid of it and even in Sanctuaries and National Parks the protection afforded to wild life needs to be improved. With this benevolent object, the Act was enacted.

4. Section 2 (5) of the Act defines “captive animal”. “Captive animal” means any animal, specified in Schedule I or Schedule II, which is captured or kept or bred in captivity. Section 2 (7) defines “Chief Wild Life Warden”. “Chief Wild Life Warden” means the person appointed as such under clause (a) of sub-section (1) of section 4. Section 2 (15) defines “habitat” which includes land, water or vegetation which is the natural home of any wild animal. Section 25-A “recognised zoo” means a zoo recognised under section 38-H. Section 2 (36) provides for definition of “wild animal”. “Wild animal” means any animal specified in Schedule I or Schedule II and found wild in nature. As per section 2 (39) “Zoo” means an establishment, whether stationary or mobile where captive animals are kept for exhibiting to the public or ex-situ conservation and includes a circus and off-exhibit facilities such as rescue centres and conservation breeding centres, but does not include an establishment of a licensed dealer in captive animals.

5. In the context of the present case, the provision to which we shall advert to is section 11 (a) which reads as under;

“11. Hunting of wild animals to be permitted in certain cases.—
(1) Notwithstanding anything contained in any other law for the time being in force and subject to the provisions of Chapter IV,—
(a) the Chief Wild Life Warden may, if he is satisfied that any wild animal specified in Schedule I has become dangerous to human life or is so disabled or diseased as to be beyond recovery, by Order in writing and stating the reasons therefor, permit any person to hunt such animal or cause such animal to be hunted;

Provided that no wild animal shall be ordered to be killed unless the Chief Wild Life Warden is satisfied that such animal cannot be captured, tranquilised or translocated:

Provided further that no such captured animal shall be kept in captivity unless the Chief Wild Life Warden is satisfied that such animal cannot be rehabilitated in the wild and the reasons for the same are recorded in writing.”

[Emphasis Supplied]

6. The petitioner – party in person raised a genuine concern about the welfare and safety of Omkar. The petitioner in person as well as the intervener represented by Advocate Kedar Lad submitted that the Constitution of India has imposed fundamental duties upon every citizen of India to protect and improve the nature and environment, including forests, lakes, rivers, wildlife and to have compassion for living creatures. The present P.I.L is in respect of capture and translocation operation proposed by respondents of Omkar roaming in Sindhudurg and Kolhapur Districts. The petitioner has raised several issues regarding translocation/rehabilitation/capturing operation of the wild elephant proposed by Respondents/Private Forests/Artificial Forest managed by Vantara.

7. According to the petitioner, roaming as well as intrusion of wild elephant into residential areas is successively occurring due to deforestation, encroachment upon forest lands, mining operations and particularly due to absence of green corridor for free movement of wild elephants. The petitioner as well as the intervener have a strong objection to translocation/rehabilitation as the same is not a permanent measure to avoid successive wild elephant – human conflict. The petitioner has strongly opposed the translocation/rehabilitation of Omkar to Vantara as proposed by the respondents, which according to them is totally illegal and in contravention of the provisions of the Constitution of India.

8. Our attention is invited to Article 48-A imposing obligation upon the State to protect and improve environment and to safeguard the forest and wildlife of the country. Therefore, considering the provisions of the Constitution of India, State has to protect, improve, safeguard the forest and wildlife of the country on its own efforts, responsibility and obligation. It is submitted that no law in this country permits the wildlife to be handed over/transferred to any private entity of public trust as proposed by the respondents in the present case or even for that matter, a temporary transfer of any wild animal to private entity or public trust.

9. Learned Counsel for the intervener was at pains to point out that Omkar being a wildlife elephant obviously has a very different lifestyle, food habits,

sexual habits, behaviour patterns which are totally different from that of captive and domestic elephants. It is submitted that if Omkar is captured and translocated to a restricted Elephant camp, Vantara, he will lose his wildlife instincts, lifestyle, food habits, sexual habits, behaviour patterns and atmosphere in which he used to live. The concern expressed is that once a roaming elephant is translocated or rehabilitated into a camp even for a temporary period and then brought back to its original forest habitat, it will not be able to cope up with the forest environment and other wild elephants will not accept it into the herd. This would be in breach of constitutional mandate to protect wildlife, which is an obligation of the State as well as the citizens. It is pointed out that elephant is a social / family animal and every elephant lives in a herd. The presence of elephant in forest is an indication of balanced and flourishing ecosystem. The translocation and rehabilitation of Omkar as proposed by the respondents is nothing but a permanent conversion of a wild elephant into a domesticated, captive elephant. The translocation and rehabilitation of Omkar into Vantara will be total loss of ecosystem and it would be in contravention with the provisions of Constitution of India.

10. It is then submitted that Vantara is a private forest situated in the State of Gujarat near Jamnagar Oil Refinery in its buffer zone. It is strenuously urged that Vantara is located within Reliance Industries Refinery Complex, the distance between Vantara and Jamnagar Oil Refinery being 20 kms. It is then urged that as per information displayed on website of Vantara, it spans across a

total area of 3500 acres. Further, Vantara has staff of more than 3500 persons. The petitioner submitted that as per information given by Vantara on its website, Vantara shelters 1,50,000 animals from more than 2000 different species. Vantara has more than 220 elephants who have been rescued from logging industries, street begging and circuses. The petitioner expressed concern that Vantara is majorly sheltering captive and bonded elephants and the details on the website indicate that it is a private artificial forest and laboratory. Therefore, it is totally not suitable for translocation / rehabilitation of any wild animal including Omkar. Submissions are then made that climate of Gujarat is hot and dry and that the same is not ideal for wild animals. It is then urged that due to the climate of Gujarat, there is no record of historical presence of wild elephants in the forests of Gujarat State, however, the said fact has not been considered by the respondents while proposing translocation of “Omkar” to Vantara.

11. It is submitted that the impugned order is passed for translocation / rehabilitation of Omkar without considering any of the aforesaid aspects. The petitioner as well as the intervener then submitted that the best course would be to rehabilitate Omkar in available alternate natural habitat in Kolhapur District itself. It is pointed out that in Kolhapur District, there is historical Wildlife Sanctuary viz: Radhanagari Wildlife Sanctuary. The said Wildlife Sanctuary is home to a wide variety of wild animals viz: Gaur (bison), Leopard, Bear, Royal Bengal Tiger. It is submitted that the said Wildlife Sanctuary is

situated on the banks of backwaters of Radhanagari Dam. Therefore, there is availability of ample water for Omkar.

12. It is submitted by the petitioner that on the borders of Kolhapur, Sangli Districts, there is Chandoli National Park, which forms a major part of Sahyadri Tiger Reserve and Koyana Wildlife Sanctuary. The area of Sahyadri Tiger Reserve, including Chandoli National Park and Koyana Wildlife Sanctuary, is 741.22 square kilometers. Sahyadri Tiger Reserve accommodates around 8 Royal Bengal Tigers, more than 70 Leopards, Bisons, Bears and many other wildlife animals. Sahyadri Tiger Reserve is situated along the backwaters of Chandoli/Warana Dam. According to the petitioner and the intervener, Chandoli National Park is a suitable option for translocation of Omkar. It is then submitted that Government of Maharashtra on 23rd June, 2020 has declared the Tillari Forest Area, Dodamarg and Sawantwadi Range in Sindhudurg District as Conservation Reserve. The area of Tillari Conservation Reserve is 29.53 square kilometers. The said Tillari Conservation Reserve is situated along the backwaters of Tillari dam. It is submitted that all the forests mentioned hereinabove are Rain and Evergreen Forests which are suitable and ideal for accommodation of Omkar.

13. It is then urged that similar such matters were subject matter for consideration before the Ernakulam Bench of the Kerala High Court in respect of roaming wild elephant viz. Arikomban. The Kerala High Court appointed

five members Committee of experts to suggest immediate solution for rehabilitation of Arikomban vide its order dated 29th March, 2023. It is submitted that similar exercise be carried out in the present case as any attempt to tranquilise Omkar and immobilise it for the purpose of sending it to Vantara will result in it losing its instinct to sustain in the wild. It is urged that that the order passed by the Kerala High Court has been upheld by the Hon'ble Supreme Court. It is pointed out that pursuant to a report submitted by the Committee, Arikomban has been successfully released into Parambikulam Tiger Reserve on 30th April, 2023. It is urged that similar such exercise be carried out for the purpose of releasing Omkar into any of the forest areas mentioned hereinabove.

14. It is then pointed out that Omkar was born and brought up in the forests of the Western Ghats in Sahyadri Mountain Range. Omkar entered into Maharashtra State forest from Karnataka State as a part of his natural migration. It is submitted that even the respondents are supporting the theory that such migration of animals from Karnataka to Maharashtra is natural and usual. The concern expressed is that translocation of Omkar as proposed by the respondents would adversely affect the elephant's natural migration patterns, causing irreparable loss to him. Moreover, as Omkar is a sub-adult wild elephant, if he is trained by humans and captive elephants, it would permanently affect his behavioral patterns.

15. Our attention is then invited to the various provisions of the Act, especially section 12, to submit that before translocation, permission of the Central Government is necessary. Our attention is invited to an Article authored by Mr. Raman Sukumaran who is a renowned Elephant Ecologist associated with Project Elephant, expressing concern over the translocation of around 1000 elephants to Vantara. As indicated earlier, the petitioner suggested that Omkar, after some basic training be released into the nearby forests, which would be a much suitable habitat for him. The petitioner as well as the intervener suggested that a Committee, as was appointed by the Kerala High Court, be put in place in the interregnum to suggest immediate measures necessary for protecting Omkar and for his training.

16. We have also heard the learned Amicus Curiae. Learned Amicus invited our attention to the various decisions of the Hon'ble Supreme Court and the measures suggested by the Hon'ble Supreme Court. It is submitted that in view of constituting a High Powered Committee, the issue of Omkar can be referred to it for consideration, relevant discussion and for forming an expert opinion on the issue involved in the present Public Interest Litigation. It is submitted that the issue of wild elephants conflicting with human habitat is a growing concern. At the same time, the issue of safety and welfare of wild elephants is also equally important. It is submitted that only an expert body like High Powered Committee can provide a concrete solution by forming an Expert Opinion by a deep study and discussion on the issue.

17. Reliance is placed on the decision of the High Court of Tripura at Agartala in **Sudipa Nath Versus Union of India through the Secretary and others**¹ in support of submission that the High Powered Committee is best suited to look into the concerns raised in the present Public Interest Litigation. Much emphasis is placed on the decision of the Hon'ble Supreme Court in **Muruly M.S. Versus State of Karnataka and others**² Paragraph 10 therein states that the State and Central Authorities shall forthwith report seizure of wild animals or abandonment of captive wild animals to the Committee and the Committee shall be at liberty to recommend transfer of ownership of captive animals or of seized wild animals to any willing rescue centre or zoo for their immediate welfare, care and rehabilitation. It is submitted that having regard to the importance of the issue involved in the present PIL which concerns the safety and welfare of Omkar, the matter could be referred to the High Powered Committee for a report, suggesting immediate and best possible measure for welfare, care and rehabilitation for release of Omkar.

18. We have heard learned A.G.P and perused the affidavits-in-reply filed by the respondents. We have perused the impugned order.

19. It is the stand of the respondent – Forest Department that there are 8 elephants in Kolhapur and Sindhudurg District, out of which, 6 were purportedly roaming in herd in Sindhudurg District. Omkar being sub adult

1 AIR 2023 Trip 5

2 2023 SCC Online SC 224

male elephant was eventually isolated and removed by the group. Omkar went astray from his herd. Omkar ventured into the Sawantwadi Forest. Having been separated from his herd, Omkar's behaviour became unpredictable causing damage to human life and property. It is the stand of the respondents that from September, 2025 till date more than sixty instances of damage caused to crop have been seen, one power tiller vehicle damage case and one motorcycle damage case was recorded in Sawantwadi and Dodamarg Taluka. There are complaints lodged with the Forest Department by affected villagers and other people with a demand to capture Omkar owing to the damage caused by him.

20. On 8th April, 2025, Omkar became aggressive and killed Laxman Yashwant Gawas, a resident of Village Morle, Taluka Dodamarg, District Sindhudurg. The Deputy Conservator of Forests, Sawantwadi submitted a detailed report on 1st April, 2025 regarding the capture of elephants and other necessary action. Based on this, Chief Conservator of Forests, Kolhapur forwarded a report with his remarks to the Additional Principal Chief Conservator of Forest (Wildlife) West, Mumbai on 7th April, 2025. The report was then sent to the Principal Chief Conservator of Forests (Wildlife), Maharashtra State, Nagpur on 8th April, 2025 requesting necessary action for capturing Omkar. Considering the reports and remarks of the concerned officers, the Chief Wildlife Warden and Principal Chief Conservator of Forests (Wildlife), Maharashtra State, Nagpur issued the capture order on 8th April,

2025 under section 11 (1) (a) of the said Act. The order permitted Omkar's capture on 30th June, 2025. However, due to situational reasons and seasonal restrictions, the operation could not be completed. The timeline was extended up to 31st December, 2025 by the Chief Wildlife Warden and also by Principal Chief Conservator of Forests (Wildlife) to carry out the capture.

21. Vide letter dated 15th April, 2025, the Chief Conservator of Forests, Kolhapur reported that an advisory committee has been constituted by the Additional Principal Chief Conservator of Forests (Wildlife), West, Mumbai who acted as Chief Coordinator. A committee, formed as per para 3.3 in Chapter 3 of the Recommended Operating Procedure ("ROP" for short) for capture and translocation of elephants in distress and conflicts was chaired by the the Chief Conservator of Forests, Kolhapur. Members included are Deputy Conservator of Forests, Kolhapur; Dr. N.S. Manoharan, MVSc, Additional Director of Veterinary Services and Forest Veterinary Officer (Retired), Deputy Conservator Forest as members.

22. The Advisory Committee met on 25th September, 2025, 6th October, 2025 and 24th October, 2025. The experts observed that Omkar's movements were erratic due to absence of a mentor elephant. Considering threat to human life and property, the Committee recommended Omkar's immediate capture and temporary translocation for the safety of both, the animal and the public.

23. To identify a suitable site for translocation, the Deputy Conservator Forest, Sawantwadi and Ministry of Forests, Government of Maharashtra contacted Karnataka State Forest, Field Director, Pench Tiger Reserve, Nagpur and Deputy Conservator of Forests, Sironcha. It is submitted that none responded positively. It is then that the Advisory Committee suggested approaching Madhumalai, Annamalai Government Elephant Camps in Tamilnadu Forests Department and Private Organization Radhe Krishna Temple Elephant Welfare Trust, Jamnagar, Gujarat viz: Vantara. Government Elephant Camps of Tamilnadu Forest Department did not respond. But Vantara expressed willingness to accept Omkar for temporary translocation. Letter of consent dated 16th October, 2025 was received to that effect.

24. In accordance with para 3.4 of Chapter of the ROP, a Field Capture Team has been constituted to conduct the capture operation. The team is chaired by the Deputy Conservator of Forests, Sawantwadi, with the Assistant Conservator of Forests serving as Field Coordinator. Members include the Range Forest Officer, the local veterinary unit and other personnel responsible for capturing and relocating Omkar. The team functions under the supervision of the Advisory Committee.

25. A technical support team from Vantara, Gujarat will also assist in the operation. It comprises veterinary Doctors, two paravets, one biologist, five manhouts, one senior tracker, two DOPs, two human medical practitioners, and

two paramedics to ensure a safe and efficient translocation process. It has further been stated that a Post-Capture Translocation Plan is in place, with the required vehicles, staff and logistical support arranged.

26. It has been submitted that the Forest Department has completed all pre-capture preparations as outlined in the ROP and obtained the necessary permissions. All essential arrangements, including medicines, transport vehicles, expert personnel, and assistance from other departments, have been made to ensure the smooth execution of the capture operation. The Forest Department has then stated the reasons why Omkar cannot be released in the forest. Being a sub-adult elephant, aged 10 to 12 years, Omkar, in the opinion tendered by the State, would not be in a position to fend for himself in the wild and would require prior training and socialization with proper housing before releasing him in the wild. They further opine that considering that at present, Forest Department, Kolhapur Circle is unable to provide the facilities necessary to maintain Omkar post capture, Omkar be translocated temporarily to Vantara. It has been submitted that Kolhapur Forest Circle has proposed to create an Elephant Camp at Mouje Ghatkarwadi, Taluka Ajra, District Kolhapur, to provide proper housing, training and socialization to captured elephants.

27. We must bear in mind the material available on human-elephant conflict which indicates that this is a major conservation and livelihood challenge

arising from the overlap between expanding human land use and elephant habitats. As forests and grasslands are converted into farms and settlements, elephants often enter agricultural areas in search of food, leading to crop damage, property loss, often resulting in human casualties. These conflicts carry both ecological and socio-economic costs. Small farmers face severe income losses, wild animals are displaced or killed, reducing genetic diversity and habitat connectivity, which has a detrimental effect on the rapidly dwindling numbers of certain vulnerable and endangered species.

28. During the course of the hearing on 10th November, 2025, we have been apprised of an unfortunate and inhuman incident concerning Omkar. The learned AGP, as well as the Petitioner, the Amicus and the intervenor, brought to our notice that certain notorious individuals hurled powerful fire crackers at Omkar while he was bathing. It was further informed that this instance irritated Omkar even more. This deplorable incident caused severe distress and irritation to Omkar, which reflects a deliberate act driven by malicious intent in an attempt to drive Omkar away from human settlements. Regardless of the motives behind this act, we are of the considered view that effective measures must be taken immediately to ensure safety and well-being of Omkar.

29. In *The Goa Foundation v. The State of Goa & Ors*³, a Division Bench of the High Court of Bombay at Goa was deciding whether Government of Goa was legally bound to notify the Mhadei Wildlife Sanctuary as a tiger

3 2023 Supreme Court Cases Online Bom 1495

reserve under Section 38 V(1) of the Wild Life (Protection) Act, 1972, after the NTCA formally recommended it. This judgment is under challenge before the Hon'ble Supreme Court. However, the judgment merits reference on the point of Human-animal conflict, to the extent of the reference made in the said judgment to the precedents of the Hon'ble Supreme Court in **T. N. Godavarman Thirumulpad v/s. Union of India**⁴ and **Center for Environmental Law, World Wide Fund-India v/s. Union of India**⁵. The relevant paragraphs are quoted below for ready reference:

“141. In Center for Environmental Law, World Wide Fund-India (supra), the Hon'ble Supreme Court observed that the rapid deterioration of the ecology due to human interference is aiding the rapid disappearance of several wild animal species. Poaching and the wildlife trade, habitat loss, human-animal conflict, epidemics etc., are also some of the reasons which threaten and endanger some species. The Court recorded in para 42 that the fragmented nature of wildlife-rich areas, increased human pressure, habitat degradation, the proliferation of invasive species, human-animal conflicts, poaching, impacts of changing climate etc., are some challenges that must be addressed at a war footing. The necessity for ensuring better wildlife protection outside the protected areas and initiating recovery programmes for saving critically endangered species and habitats was also highlighted by the Court.

145. In T. N. Godavarman Thirumulpad (wild buffalo case) (supra), the Hon'ble Supreme Court held that the human-wildlife conflict is fast becoming a critical threat to the survival of many endangered species like wild buffalo, elephants, tigers, lions, etc. Such conflicts affect its population and have broadened environmental impacts on ecosystem equilibrium and biodiversity conservation. Laws

4 (2012) 3 Supreme Court Cases 277

5 (2013) 8 Supreme Court Cases 234

are man-made, hence there is likelihood of anthropocentric bias towards man, and rights of wild animals often tend to be of secondary importance but in the universe man and animals are equally placed, but human rights approach to environmental protection in case of conflict, is often based on anthropocentricity. Man-animal conflict often results not because animals encroach human territories but vice versa. Often, man thinks otherwise, because man's thinking is rooted in anthropocentrism. The Court said that we must remember that we are talking about the conflict between man and endangered species, endangered not because of natural causes alone but because man failed to preserve and protect them; the attitude was destructive, for pleasure and gain."

30. Elephants play a crucial ecological role as keystone species, meaning their activities shape and sustain the environments they inhabit. Their feeding, movement, and social behaviors have wide-reaching effects on the ecology of their habitat. Elephants are officially classified as Endangered in India, reflecting the serious threats they face. Elephant population in India is under constant pressure from habitat loss, fragmentation, and human–elephant conflict. It thus becomes crucial to protect the Elephant species to ensure the sustenance and balance of the forest ecology.

31. In **Hospitality Association of Madumalai v. In Defence of Environment and Animals and Ors. Etc⁶**, the Hon'ble Supreme Court has reiterated the importance of Elephants as the keystone species. The relevant paragraph has been quoted below:-

"34. At the very outset, it must be noted that the Wildlife Trust of India terms elephants as a "keystone species"

6 2020 Supreme Court Cases Online SC 838

because their nomadic behavior is immensely important to the environment. Herds of roaming elephants play several important roles in the ecosystem:

(i) Landscape architects: Elephants create clearings in the forest as they move about, preventing the overgrowth of certain plant species and allowing space for the regeneration of others, which in turn provide sustenance to other herbivorous animals.

(ii) Seed dispersal: Elephants eat plants, fruits and seeds, releasing the seeds when they defecate in other places as they travel. This allows for the distribution of various plant species, which benefits biodiversity.

(iii) Nutrition: Elephant dung provides nourishment to plants and animals and acts as a breeding ground for insects.

(iv) Food chain: Apex predators like tigers will sometimes hunt young elephants. Further, elephant carcasses provide food for other animals.

(v) The umbrella effect: By preserving a large area for elephants to roam freely, one provides a suitable habitat for many other animal and plant species of an ecosystem.

Elephant corridors allow elephants to continue their nomadic mode of survival, despite shrinking forest cover, by facilitating travel between distinct forest habitats. Corridors are narrow and linear patches of forest which establish and facilitate connectivity across habitats. In the context of today's world, where habitat fragmentation has become increasingly common, these corridors play a crucial role in sustaining wildlife by reducing the impact of habitat isolations. In their absence, elephants would be unable to move freely, which would in turn affect many other animal species and the ecosystem balance of several wild habitats would be unalterably upset. It would also eventually lead to the local extinction of elephants, a

species which is widely revered in our country and across the world. To secure wild elephants' future, it is essential that we ensure their uninterrupted movement between different forest habitats. For this, elephant corridors must be protected."

32. Learned A.G.P, on instructions, has provided justifications for not releasing Omkar into the wild immediately after capture. Following the chemical immobilization and capture operation, it is not advisable to immediately release the elephant back into the wild for the following reasons :-

1) Physical enclosure in forest area is not possible, as a lot of human intervention will be required to feed, provide medical care and overall supervision of the animal.

2) Behavioral Challenges.

The elephant in question has become habituated to human presence and agricultural areas, regularly moving into human habitation and feeding on standing crops.

Releasing the elephant back in such situation into the same landscape increases the likelihood of recurrence of crop-raiding behavior and potential harm to both humans and the elephant.

Such elephants often lose their natural fear of humans, making them difficult to drive back and increasing the risk of incidents of conflicts.

Keeping the animal in open forest after capture is not possible, as restraining the animal in open is not possible. Elephant covers long distances daily, which could again bring it back into conflict with humans.

(3) Requirement of Post-Capture Medical Care

The process of chemical immobilization induces significant physiological stress and potential side effects such as dehydration, myopathy, and metabolic disturbances.

Veterinary assessment and continuous observation are essential during the recovery period to monitor vital parameters and detect any complications arising from tranquilization.

The elephant may also be suffering from pre-existing injuries, abscesses, or nutritional deficiencies due to prolonged conflict or displacement, necessitating specialized treatment and care that cannot be provided in a forest setting.

4) Threats to the Elephant's Safety

Returning a conflict or partially tamed elephant immediately to the wild environment poses a serious threat to its life, as it may be targeted by local communities affected by crop damage.

Additionally, the elephant may be isolated from established herds, leading to stress, aggression, or failure to integrate, further compromising its welfare.

5) Need for Controlled Environment for Rehabilitation

A temporary relocation to an Elephant Treatment and Rehabilitation Facility is essential for veterinary treatment, rest, and recovery post-capture, gradual socialisation with other elephants under the supervision of experienced mahouts and veterinarians and for behavioral assessment to determine the suitability of future release or long-term care arrangements.

Such a facility provides secure enclosures, adequate nutrition, and trained personnel to manage the animal safely during recovery and adaptation.

33. It is thus submitted by the learned A.G.P that immediate release of the elephant into the wild is not recommended. Temporarily holding the elephant at a recognized treatment and rehabilitation centre is necessary to ensure its health, welfare and safety as well as to prevent recurrence of human-elephant

conflict. The relocation will also facilitate scientific monitoring and informed decision making regarding the elephant's long-term management. Learned A.G.P, while providing for the details regarding the space available for captive elephants submitted that, at Vantara, there are more than 250 elephants. There is space available as per the Standard Operating Procedure of the Central Zoo Authority of India. This is in addition to a water body and a confinement/tethering zone (called the elephant house). The elephant will be kept in quarantine for 45 days post relocation.

34. A specific stand is taken that, except Vantara, no other facility is available for paying immediate attention to the well being of Omkar. The Forest Department has justified the proposal of temporary relocation of Omkar to the approved Elephant Treatment and Rehabilitation Centre, submitting thus;

1. Post-Capture Medical Examination:

Following chemical immobilisation and capture, it is essential to conduct a thorough health check-up, including assessment of physiological parameters, injuries (if any), and overall body condition.

Such examination cannot be effectively undertaken in field conditions due to a lack of infrastructure, diagnostic equipment, and the risk of stress to the animal.

2. Diagnostic Testing and Health Assessment:

The treatment centre provides facilities for the collection and analysis of biological samples such as blood, faecal matter, and urine to assess

the elephant's internal health status, detect parasitic or infectious conditions, and evaluate stress indicators.

These diagnostic results will serve as a scientific basis for determining the elephant's suitability for release into the wild or the need for extended rehabilitation or captivity.

3. Veterinary Supervision and Recovery Care:

Continuous monitoring by trained veterinarians and elephant handlers (mahouts) at the centre will ensure that any post-capture complications, such as dehydration, muscle strain, or sedation-related effects, are promptly addressed.

The controlled environment of the treatment centre allows for adequate nutrition, rest, and medical support necessary for the elephant's stabilisation and recovery.

4. Facilitation of Future Management Decisions:

Based on veterinary findings and behavioural observation during the rehabilitation period, an informed decision can be made regarding whether the elephant can be safely reintroduced into the wild or requires long-term care in captivity.

35. During the course of the hearing on 12th November, 2025, the Divisional Forest Officer (Vigilance), Kolhapur Forest Circle, filed an affidavit. In the affidavit, it is stated that Omkar was previously a member of a herd consisting of five elephants. Last year, Omkar separated from the above elephant herd in the month of August and has been roaming separately since then. It is stated that Omkar, after being separated from his herd, is charging unprovoked and his behaviour is totally unpredictable. Since then, he is entering human habitat and human cultivation and damaging the crops and

other properties of the citizens. He has killed one human being on 8th April, 2025. Considering the unprovoked charging and unpredictable behaviour of Omkar and Omkar being a threat to human life, the Chief Wildlife Warden has issued a capture order on 8th April, 2025 under section 11 (1) (a) of the said Act. It is stated that after capture, Omkar cannot be rehabilitated in the wild of Kolhapur Forest Circle with other elephants because, except for the above-stated elephant herd, there is no other nearby elephant herd in the entire forest circle.

36. Considering the sub-adult age of Omkar elephant, it is required for him to be kept in a herd as a member. It is submitted that to improve the behavior of Omkar, it is a must for him to be socialized by keeping him in a herd of elephants. Unless and until elephant Omkar is kept in a herd for socialisation, his unpredictable behaviour will not improve. It is the stand of the forest Department that the herd availability in the Sawantwadi Division area is unlikely to accept Omkar elephant as a member of the herd. Forest Department time and again pushed Omkar elephant in the forest area, especially towards his earlier herd. However, it is noticed by the Forest officials that Omkar continues to live in forest areas near agricultural fields and human habitats. There is no other herd in the Kolhapur Forest Circle area. It is submitted that in the absence of another herd for Omkar to join, learning social skills will not be possible for him, either in Kolhapur Forest Circle or anywhere in Maharashtra.

37. It is submitted by Forest Department that Omkar has developed a habit of venturing into human habitat, damaging the crops of the farmers and causing trouble to humans, creating a situation of human-animal conflict repeatedly. It is the specific stand of the Forest Department that allowing Omkar to roam separately and independently anywhere poses danger to his life. Considering his present habit of venturing into human habitat and creating human-elephant conflicts, there is every possibility and probability of another human casualty or injury, which could pose serious threat to the elephant's safety. There is danger to Omkar's life if he is rehabilitated in the wild immediately. It is submitted that Omkar is sub-adult and not capable of understanding his own actions. Further, due to his sub-adult age, he is not capable of surviving on forest produce on his own. For his survival, he is coming out to the sugarcane, jackfruit, banana, cashew plantations. It is submitted that Vantara, Gujarat has developed a natural elephant area in hundreds of Acres of forest land. There are about 250 elephants in that area, having many herds of elephants. It is submitted that Omkar has become habituated to human presence and agricultural areas, regularly moving into human habitation and feeding on standing crops. The apprehension that returning an elephant in conflict or a partially tamed elephant immediately to the wild environment would pose a serious threat to its life, is expressed, as it may be targeted by local communities affected by crop damage. Additionally, Omkar will be isolated from established herds, leading to stress, aggression or failure to integrate, further compromising his welfare.

38. It is submitted that the process of chemical immobilisation induces significant physiological stress and potential side effects such as dehydration, myopathy and metabolic disturbances. Veterinary assessment and continuous observation are essential during the recovery period to monitor vital parameters and detect any complications arising from tranquilization. Omkar is also suffering from pre-existing injuries, abscesses or nutritional deficiencies due to prolonged conflict or displacement, necessitating specialised treatment and care that cannot be provided in a forest setting.

39. It has been further submitted that it is essential to temporarily relocate Omkar to an Elephant Treatment and Rehabilitation Facility for (i) veterinary treatment, rest and recovery post capture, (ii) gradual socialization with other elephants under the supervision of experienced mahouts and veterinarians and (iii) behavioral assessment to determine the suitability of future release or long-term care arrangements and that this would further ensure secure enclosures, adequate nutrition, and trained personnel to manage the animal as he recovers and adapts, and that all these facilities are available at Vantara.

40. It is also submitted that keeping Omkar in company of other elephants at Vantara will assist in his learning of necessary survival skills to live in the wild and would help him socialise and get accustomed to living in a herd. It is also expected to reduce his unprovoked charging and other unpredictable movements, significantly reducing human-elephant conflict.

41. It is further stated that the facilities available at Vantara, Gujarat, are not available in Maharashtra. It is then submitted that the translocation of Omkar to Vantara would be temporary until significant improvements in his behaviour are noticed.

42. It has also been submitted that a proposal has been sent by the Principal Chief Conservator of Forests (Wildlife), Maharashtra State, Nagpur to the Maharashtra State vide letter dated 27th October 2025 for the establishment of an Elephant Camp at Village Ghatkarwadi, Taluka Ajra, District Kolhapur, which may take about 4 years to be established.

43. It is further submitted that immediate release of Omkar in the wild is not recommended and temporary translocation to Vantara is necessary to ensure the elephant's health, welfare and safety as well as to prevent further reoccurrence of human-elephant conflict. Additionally, it is stated that such translocation would facilitate scientific monitoring and informed decision-making regarding the elephant's long-term management.

44. It has been further submitted that a proposal to decide the long-term relocation plan of Omkar elephant will be sent to the High Powered Committee constituted by the Hon'ble Supreme Court.

45. In view of the materials on record and the aforesaid stand of the Forest Department, which is taken in consultation with the Advisory Committee, it may not be possible for us to substitute our opinion for that of the experts. We do appreciate the concerns expressed by the petitioner and the intervenor. We are of the view on the basis of the materials that circumstances do exist for capture of Omkar, which the Forest Department has assured to proceed with scientifically as indicated above. If the consideration by the experts in the field is based on cogent materials, it is not possible for us to take a different view, howsoever passionately the petitioner and the intervenor have presented their case.

46. On the aspect of establishing an elephant camp, as stated in paragraph 25 of the affidavit, a proposal was sent on 27th October, 2025. In our opinion, the process needs to be expedited. We propose to pass further directions after calling for necessary responses from the State Government in this regard.

47. We must record that the respondent-Forest Department has categorically stated that translocation of Omkar to Vantara is temporary and a firm decision will be taken regarding Omkar's long-term management on the basis of recommendation of High Powered Committee. It is categorically stated that Omkar will be brought back to the Forest facility in Maharashtra at the earliest, once such facility is available.

48. The Tripura High Court vide order dated 07th November, 2022 in **Sudipa Nath** (supra), constituted a High Powered Committee to be headed by retired Judge of the Hon'ble Supreme Court of India, Hon'ble Mr. Justice Deepak Verma, along with the Director General of Forests (Union of India), Head of Project Elephant Division (MoEF) and Member Secretary (Central Zoo Authority of India), the Chief Wildlife Warden (State of Gujarat), the Chief Wildlife Warden (State of Tripura) and the Chief Wildlife Warden (State of Arunachal Pradesh) as expert members to decide on the issue of translocation of captive elephants from States of Arunachal Pradesh and Tripura to Vantara. The said order further provides that the Chairman of the High Powered Committee shall co-opt an expert having experience of Elephants as a Member of the Committee and the Chairman may also consider taking assistance of the Chairman, Animal Welfare Board of India. Various directions were issued for the smooth functioning, powers, jurisdiction and assistance to be provided to the said High Powered Committee. The relevant portion of the aforesaid order is quoted hereinbelow:

“29. The said HPC to be chaired by Hon'ble Mr. Justice Deepak Verma shall treat the questions framed by us in paragraph 27 above as ‘Terms of Reference’ and carry out the necessary fact finding exercise. Thereafter the Chairperson of the HPC shall make his report and provide a copy to all concerned. The Chairperson of the HPC shall then send his recommendation Elephant wise to the concerned Chief Wild Life Warden of the concerned State

either recommending or not recommending the completion of the transfers, as the case may be.

30. *In case the Chairperson of the HPC recommends that an Elephant or Elephants should not be transferred, then the concerned Chief Wild Life Warden shall take steps to either confiscate the Elephant or take an undertaking from the concerned owner that the Elephant shall be taken care of without any cruelty. In case where such undertaking is taken, the concerned Chief Wild Life Warden shall be bound to monitor the Elephant concerned in regular intervals and take further steps, if necessary, accordingly.*

31. *In cases where the Chairperson of the HPC recommends that an Elephant or Elephants be transferred to the camp of the respondent No. 3, the concerned Chief Wild Life Warden shall ensure that the transfer of the Elephant is undertaken in the most appropriate manner conducive to the Elephants and further the concerned Chief Wild Life Warden shall request the jurisdictional police to ensure smooth passage of the Elephant concerned. Such jurisdictional police shall be bound to render all assistance to ensure smooth passage of the Elephant concerned.*

32. *Before parting, we would like to record that despite our limited knowledge of the subject, we are conscious of the stark distinction between a Captive Elephant and an Elephant in the wild. In our reading and understanding of the subject, once an Elephant is bred in captivity or is in captivity for several years, the hope of their reintroduction in wild is bleak. A lifetime or even a reasonably long time in sheltered existence is sufficient to incapacitate an Elephant*

from surviving in the wild. They seldom learn crucial survival skills and are too habituated to human contact. Lacking a natural fear of humans, they are vulnerable to poachers and ill equipped for life in the wild. These creatures become so imprinted with humans and dependent on humans that their survival in the wild becomes next to impossible. In such a situation finding a safe, restful and tranquil home for them must be the paramount consideration of all concerned. If the HPC finds that the camp of the respondent No. 3 is such safe, restful and tranquil home then we do not think the Court, authorities or any citizen can come in the way, but if it is not, then the authorities must take all steps to find a safe, restful and tranquil home for Elephants who are in captivity.

33. *We are also conscious of the fact that it becomes difficult for private individuals or Forest and Wildlife Departments to take care of captive Elephants for reasons of lack of manpower, finances, space and infrastructure. There is nothing wrong in taking assistance of camps and facilities run by trusts and welfare organizations. However, in all cases the paramount consideration must be the welfare of the Elephants.*

34. *In view of the aforesaid, we pass the following order:*

a. We direct the Project Elephant Division of the Ministry of Environment, Forests and Climate Change to issue necessary directions to all Chief Wild Life Wardens to take all steps necessary to curb and put to an end, the capturing of wild Elephants, if any, from the wild including:—

i. Directing a census of all Elephants in captivity of private persons or Government departments and creation of an inventory of the same with their name, details of ownership certificate, microchip number and photograph.

ii. Directing inspection and verification of Certificate of Ownerships of all Elephants in captivity and in case there is no Certificate of Ownership, to either issue a provisional Certificate of Ownership or confiscate the Elephant after carrying out necessary inspection and verification of the history and source of the Elephant.

iii. Directing a proper DNA sequencing for new offspring to be conducted so as to identify and prevent capture of young Elephants from the wild.

b. We do hereby appoint a High-Powered Committee (HPC) under the Chairmanship of Hon'ble Shri Justice Deepak Verma (Former Judge, Supreme Court of India). We hereby appoint the following persons (by designation) as members of the said HPC:

i. Director General of Forests (Union of India);

ii. Head of Project Elephant Division (MoEF);

iii. Member Secretary (Central Zoo Authority of India);

iv. Chief Wild Life Warden (State of Tripura) for Elephants from State of Tripura; and

v. Chief Wild Life Warden (State of Gujarat).

c. The Chairman of the HPC shall co-opt an expert having experience of Elephants as a member of such HPC. The Chairman may also consider taking assistance of the

Chairman, Animal Welfare Board of India for the purposes of the HPC.

d. All other members of the HPC shall render all assistance and for that purpose shall use all powers vested in them including taking assistance of other officers of their respective departments as directed by the Chairman and also to take assistance of the local police as and when necessary, to enable the HPC to carry out the functions requisitioned by this order.

e. The members of the HPC shall carry out a thorough and detailed physical inspection of the Trust. They shall be entitled to access and inspect all areas and facilities of the Trust. They shall be entitled to access and inspect all documents of the Trust. They shall also be entitled to interview and question the staff and officers of the Trust. The HPC is requested to carry out the inspection at the earliest and in any case within 10 days from the date of this order.

f. The respondent No. 3 is directed not to interfere with or restrict the members of the HPC from carrying out their inspection in any manner that they deem fit. The Chairman shall be entitled to take assistance of as many professionals, including photographers, videographers, vets, architects as he deems fit, for the purpose of the inspection.

g. The respondent No. 3 shall render all assistance and provide all necessary arrangements as requisitioned by the Chairman of the HPC for the purpose of the inspection.

h. The Chairman of the HPC may direct formation of one or more groups consisting of at least 3 members (of which at

least one should be from the HPC and other experts) to carry out a physical inspection at the current location of the 23 Elephants and submit factual findings on such questions as the Chairman may deem fit and proper including on the allegation that they are purported to be captured from the wild. Due regard would be had to the said factual findings in the report.

i. The HPC shall in the first instance make a report on the questions in paragraph 27 of this order and it shall endeavour to do the same within a period of two weeks from the date of communication of this order.

j. The Chairman of the HPC shall make a report and provide a copy of the same to all concerned preferably within a period of two weeks from the date of communication of this order.

k. The Chairman of the HPC shall then forward his recommendation Elephant-wise to the concerned Chief Wild Life Warden either recommending or not recommending the completion of the transfers, as the case may be.

l. In case the Chairperson of the Committee recommends that an Elephant or Elephants should not be transferred, then the concerned Chief Wild Life Warden shall take steps to either confiscate the Elephant or take an undertaking from the concerned owner that the Elephant shall be taken care of without any cruelty. In case where such undertaking is taken, the concerned Chief Wild Life Warden shall be bound to monitor the Elephant concerned in regular intervals and take further steps if necessary accordingly.

m. In cases where the Chairperson of the Committee recommends that an Elephant or Elephants be transferred to the camp of the respondent No. 3, the concerned Chief Wild Life Warden shall ensure that the transfer of the Elephant is undertaken in the most appropriate manner conducive to the Elephants and further the concerned Chief Wild Life Warden shall request the jurisdictional police to ensure smooth passage of the Elephant concerned. Such jurisdictional police shall be bound to render all assistance to ensure smooth passage of the Elephant concerned.

n. In case the Chairman of the HPC finds any other fault or discrepancy, he shall forward its report with necessary recommendation for taking necessary corrective steps or action to the Secretary, Ministry of Environment, Forest & Climate Change, Secretary, Forest Department of States of Gujarat, Tripura and Arunachal Pradesh as necessary or deemed fit by the Chairman of the HPC.

o. We direct that all police authorities, officers of forest and wild life departments, officers of the Central Zoo Authority, Project Elephant and officers of the Ministry of Environment, Forest and Climate Change, to whom a request for assistance is made by the Chairman of the HPC, shall be bound and liable to render all necessary assistance to the HPC and its members to carry out the functions of the HPC.

p. We direct that in order to bring about checks and balances in transfer of Elephants, the HPC shall continue to exist beyond these 23 Elephants and shall be consulted by the concerned Chief Wild Life Warden as the case may be before

granting any travel permit. No travel permit shall be granted without the recommendation of the HPC. For such purpose, the HPC shall carry out the exercise it deems fit bearing in mind the observations made and the purport of the present order”.

49. The afore-quoted order of the Tripura High Court was extended pan-India by the Hon’ble Supreme Court vide order dated 3rd March 2023 in ***Muruly M. S.*** (supra), in furtherance of larger public interest. The relevant portion of the said order is reproduced below for ready reference:

“8. Though the scope and jurisdiction of the High Powered Committee was limited by the High Court to transfer of the elephants from Northeast part of the country to the elephant camp of respondent no. 3, we see no reason not to extend it to Pan India, particularly, when by extending the jurisdiction of High Powered Committee at Pan India level will not only serve the real public interest and would advance the cause of welfare, care and rehabilitation of wild animals, but will also curb the filing of frivolous PILs before different High Courts by busy bees.

9. In view of aforesaid facts and circumstances, we deem it appropriate to extend the jurisdiction and scope of High Powered Committee as constituted by the High Court of Tripura, with the modification that the Chief Wild Life Warden(s) of the State(s) to which the issue relates will be the co-opted as Members of the said Committee in place of the Chief Wild Life Wardens of Tripura and Gujarat,

throughout the territory of India, leaving it open to the Committee to conduct necessary checks and to undertake fact finding exercise in any pending or future complaint in this regard. The said Committee may also consider the request for approval, dispute or grievance, concerning transfer or import into India or procurement or welfare of wild animals by any rescue or rehabilitation centre or zoo, by taking assistance and co-operation whenever needed from all departments and authorities across India. We also direct that all complaints in this regard may be forwarded forthwith to the High Powered Committee for consideration and recommending appropriate action.

10. We further direct that all State and Central Authorities shall forthwith report seizure of wild animals or abandonment of captive wild animals to the Committee and the Committee shall be at liberty to recommend transfer of ownership of captive animals or of seized wild animals to any willing rescue centre or zoo for their immediate welfare, care and rehabilitation.

11. We leave it open to the Chairman of the High Powered Committee to determine the honorarium and the expenses required to carry out functions, which shall be borne by the concerned State or Union of India as the case may be.

12. The above directions issued by us are in addition to the directions contained in the judgment dated 07.11.2022 passed by the High Court of Tripura and not in derogation thereof.

13. We are of the considered opinion that the directions issued by us shall serve real public interest and would

advance the cause of welfare, care and rehabilitation of wild animals.”

[Emphasis supplied]

50. We appreciate the efforts of the petitioner, intervenor and learned Amicus in assisting this Court, keeping in mind the safety and welfare of Omkar. We, however, strongly feel that as the High Powered Committee has been established by the Hon’ble Supreme Court for the purpose mentioned in the order passed in **Muruly M. S.** (supra), with the view to serve real public interest and to advance the cause of welfare, care and rehabilitation of the wild elephant Omkar, even the issue regarding the temporary translocation or release and long-term relocation plan of Omkar could be examined by the High Powered Committee. The State Government/Forest Department to submit a proposal regarding the temporary translocation/release of Omkar and also the long term relocation plan to the High Powered Committee within a period of three days from today. We request the High Powered Committee to examine the issue and to make necessary recommendations about the temporary translocation/release of Omkar in the wild at the earliest and preferably within the period of two weeks from the date of receipt of the proposal. We make it clear that the present arrangement as requested by the Forest Department which we have ordered is subject to the decision of the High Powered Committee. Hence, the following order.

: ORDER :

- i. The capture of Omkar is permitted, in accordance with the capture order dated 8th April 2025, issued by the Chief Wildlife Warden. However, all necessary precautions shall be taken to ensure that Omkar is not harmed and/or traumatized during the operation.
- ii. Vantara shall oversee the welfare and training of Omkar, with minimal human intervention, until the High Powered Committee submits its report.
- iii. Forest officials shall have access to and oversee the safety and well-being of Omkar at Vantara at regular intervals.
- iv. The High Powered Committee is requested to recommend the best course of action for the rehabilitation or release of Omkar, whether in captivity or in the wild including the temporary relocation.
- v. The petitioner and the intervenor are permitted to submit comprehensive representation/s or suggestion/s to the High Powered Committee.
- vi. The Public Interest Litigation shall be listed on **24th November 2025** under the caption “For Directions”.

[AJIT B. KADETHANKAR, J.]

[M.S. KARNIK, J.]