

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO. 133 OF 2007
WITH
CIVIL APPLICATION NO. 59 OF 2008
WITH
CIVIL APPLICATION NO. 57 OF 2018
WITH
CIVIL APPLICATION NO. 56 OF 2018
IN
PUBLIC INTEREST LITIGATION NO. 133 OF 2007

Rajendra Sadanand Burma & Anr. ...Petitioners
Versus
The State Of Maharashtra & Ors. ...Respondents

WITH
CIVIL APPLICATION NO. 87 OF 2009
IN
PUBLIC INTEREST LITIGATION NO. 133 OF 2007

Bandu Sampatrao Sane ...Applicant
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
CIVIL APPLICATION NO. 175 OF 2014
IN
PUBLIC INTEREST LITIGATION NO. 133 OF 2007

Malgaonkar Bhushan Pandurang ...Applicant
Versus
Rajendra Sadanand Burma & Anr. ...Respondents

WITH
CIVIL APPLICATION (ST) NO. 35428 OF 2013
IN
PUBLIC INTEREST LITIGATION NO. 133 OF 2007

Rajendra Sadanand Burma & Anr. ...Petitioners
Versus
The State Of Maharashtra
Through its Chief Secretary & Ors. ...Respondents

Mr. Jugal Gilda, Senior Advocate (through VC) a/w Ms. Shraddha Achaliya for the Petitioners in PIL/133/2007.

Mr. Siddhesh Pilankar a/w Ms. Gargi Warunjikar i/b Mr. Uday P. Warunjikar for the Petitioner in WP/3589/2011.

Mr. Bandu S. Sane, Applicant in person in CAI/87/2009.

Mr. Bhushan P. Malgaonkar for the Applicant in CAI/1175/2014.

Mr. B.V.Samant, Addl.G.P a/w Mrs. G.R.Raghuwanshi, A.G.P, Mr. S.P.Kamble, A.G.P & Ms. P.M.Joshi Deshpande, A.G.P for the Respondent No.1-State.

Mr. Y.R.Mishra a/w Mr. D.A.Dube a/w Mr. N.R.Prajapati, Sachidanand T. Singh for the Respondent No.6 – Union of India.

Dr. Nipun Vinayak, Secretary-1, Public Health Department (Through

VC), Dr. Anup Yadav, Secretary, Woman & Child Development Dept (Through VC), Mr. Vijay B. Waghmare, Secretary, Tribal Development Dept (Through VC), Mr. Sanjay Dashpute, Secretary (Roads) PWD (Through VC) present.

Mr. Pravinkumar Pansare, Desk Officer, TDD, Mr. Pramod Wankhede, Executive Engineer, PWD, Mr. Arvind Ramrane, Asst. Com (ICDS Dept), Mr. Pravin Bargade Legal Consultant, PHD, Dr. Amitkumar Patil, ADHS PHD & Dr. Amod B. Badikar, ADHS, PHD, present.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
DATE : 25th NOVEMBER, 2025**

P.C. :

1. Mr. Gilda, learned Counsel appearing for the petitioners in PIL/133/2007 has submitted certain areas of concern which he submits needs to be addressed expeditiously and on an urgent basis. The same are as under :

- (i) Appointment of specialist i.e. Physicians, Radiologists, Pediatrician, Gynaecologists and Pathologists on regular basis;
- (ii) Increase of Budgetary Sanction for Public Health

Department, Women & Child Development Department *vis-a-vis* Melghat area;

(iii) Immediate appointment of Nurses (male & female) and class III and IV employees in the Public Health Department;

(iv) Urgent supply of supplementary nutrition and raising of money from the Central and State Government from Rs.8 to Rs.20;

(v) Supply of Electricity to all Primary Health Centres and Sub-Centres across Melghat & Dharni. To also explore the implementation of Solar facility in the said area;

(vi) Supply of quality food to children between age group of 1-6 years regularly;

(vii) Supply of good quality food to pregnant mothers & Lactating mothers;

(viii) Compliance of Orders dated 20th September, 2006 and 23rd August, 2023.

2. Mr. Sane, the petitioner has also submitted the issues plaguing the said areas in Amravati District. He submits that the following issues need to be looked into on an SOS basis;

(a) He submits that there are many vacancies of Surgeon, Physician and Radiologists in sub-district Hospitals in Dharni.

(b) He submits that 38 posts are vacant and that there are more institutional deaths in the hospital and hence, appointment of Pediatricians are required. He submits that about 35 children have expired and 22 still born babies were born from April to October, 2025.

(c) He further submits that there is overloading at the Sub-District Hospital in Dharni as it caters to the need of 1.5 lakh people having capacity of only 50 beds. He submits that although land is allotted, there has been no further progress nor there is any budgetary provisions for the said hospital.

(d) Mr. Sane further submits that there is no regular

posting of any person in the Blood Bank and that mobile vans are required for collecting blood from villages.

(e) He further submits that in NRC, there is 12 beds facility which is functional, however, since staff is not available, the same cannot be said to be functional.

(f) He further submits that in Melghat, in Chikaldara block (Rural Hospital) RH Churni, there is no pediatrician or Gynaecologist and that sonography is done once every week. He submits that all facilities should be available daily as there are 40 villages covered by the said Rural Hospitals. He further submits that Medical Superintendent requests patients to complaint against him and that there is lack of will for want of proper infrastructure in the NRC, there being large number of vacancies.

(g) Mr. Sane submits that as funds were not allotted for the Government Medical College, District Amravati, resulting in the Doctors going on strike in August, 2025. He submits that the same needs to be looked into.

(h) He further submits that ambulance drivers in Amravati District including Melghat areas have been sanctioned salary of Rs.17,758/-, however, due to appointment of agencies, the drivers receive only about Rs.12,000/- (lesser than minimum wages).

(i) He further submits that in the Melghat area, about 97 children have expired, 30 still born babies are delivered. He states that 3 maternal deaths have taken place from April to October, 2025.

(j) Mr. Sane further submits that in the APJ Abdul Kalam Amrut Aahar Yojana for pregnant and lactating mothers, the amount given is meager i.e. Rs.45/- which is far from sufficient and that the said amount needs to be increased.

(k) He further submits that the 16 anganwadis in Dharni, 3 in Chikhaldara were constructed in 1975 and that the same today are in a dilapidated condition and that there is no budget allotted to cater the needs of more children in

the said anganwadis.

(l) He further submits that the labour facilities under the New Labour Laws which have come into force from 21st November, 2025 should be immediately adopted.

(m) Mr. Sane further submits that an IAS officer is handling two charges, that of a Sub-divisional Magistrate and that of a Project Officer and that the said officers are kept only for 12 months with half day each working for each charge. According to Mr. Sane, the officers so appointed should be there for atleast three years for the betterment of the area.

(n) He further submits that throughout Melghat area, there is a shortage of medicines in SDH Dharni and lakhs of rupees of medicines have been bought on credit due to lack of funds.

3. These are some of the issues that are highlighted by both, Mr. Gilda as well as Mr. Sane. It is further brought to our notice, that

the powers of budgetary, allocation is with Mumbai and that powers *vis-a-vis*, the same need to be given to the Collector, as the needs of these areas can be addressed expeditiously.

4. Mr. Vinayak, Principal Secretary, Public health Department states that he as well as the Principal Secretary, Tribal and Women and Child Department will visit Melghat on 5th December, 2025 to assess the situation and look into the grievances as spelt out in today's order as well as the earlier orders. He further states that Mr. Sane, Dr. Talpe and Mr. Kolhe will be informed of their visit so as to enable them to accompany them since they have been working in the said area for many years.

5. Alongwith the said officers, we expect a Senior Officer, not below the rank of Deputy Secretary, PWD and Deputy Secretary, Finance to accompany Mr. Vinayak and his team on 5th December, 2025. We also expect the Deputy Secretary of the Water and Sanitation Department to accompany Mr. Vinayak and others,

considering that there are several issues relating to the said department in the said areas. Alongwith the aforesaid officers/persons, the Project Officer, Melghat, the Chief Executive Officer, Amravati and Deputy Conservative Officer of Forest and any other officers/personnel, as may be required to be present will accompany Mr. Vinayak and his team so as to enable them to look into the issues gripping the areas and which need to be addressed and redressed at the earliest.

6. A report to be submitted to this Court on or before **18th December, 2025 at 3.00 p.m.** The report to contain all details and the period within which the issues will be redressed.

7. Mr. Samant, learned Addl.G.P, to also inform to this Court whether salaries of Doctors have been paid on the next date.

8. Mr. Samant, to hand over a compilation of all effective orders passed in this petition from the beginning, till today, so as to enable all the officers to go through the same.

9. All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.