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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 188 OF 2022

Shrihari S/o. Anant Shidore

.. Petitioner

Versus

The Commissioner/administrator & Ors.

.. Respondents

WITH
WRIT PETITION NO.2651 OF 2025
WITH
INTERIM APPLICATION NO.16240 OF 2024

Mr. Amit A. Mukhedkar, for the Petitioner.(Through V.C.)

Mr. Sanjeev Deshpande, Senior Advocate with Mr. D.S.Manorkar and Mr. Manesh Swami for the Respondent – NHAI (Through V.C.)

Mr. S.S.Tope, for the Chhatrapati Sambajinagar Municipal Corporation- Respondent Nos.1 to 4.

Mr. Amarjeet Girase, Government Pleader a/w. Mr. M.M.Nerlekar, Addl. G.P., Mrs. G. R. Raghuwanshi, AGP for Respondent Nos. 5, 8 to 10/State.

Mr. R.N.Dhorde, Senior Advocate a/w. Mr. Rohan Kaiche i/b. Mr. S.N. Suryavanshi for Respondent No.15.

Mr. Sachin Deshmukh, Amicus Curiae a/w. **Mr. Shambhuraje Deshmukh** (Through V.C.)

Ms. Manisha Palande, Chief Engineer, MJP, Chhatrapati Sambhajinagar.

Mr. Rajendra S. Deshmukh, Senior Advocate i/b. Mr. Vinod Patil, Mr.Amol G. Vasmatkar for Respondent No.6 – Maharashtra Jeevan Pradhikaran (MJP).

Mr. Mahindra G., (AGM) present.

Mr. Ashrith Reddy, Associate Director, present.

CORAM: RAVINDRA V. GHUGE

&

GAUTAM A. ANKHAD, JJ.

DATE: 11th JULY, 2025

P. C.

HIGH COURT CONSTITUTED COMMITTEE (HCCC)

1. The learned Government Pleader has tendered the copies of the reports generated by the HCCC along with the covering letters dated 25th June, 2025 and 10th July, 2025. The report dated 16th June, 2025 along with covering letter dated 25th June, 2025 (1+41 Pages), is marked as '**X-59**' for identification. The Report of the High Court Constituted Committee dated 30th June, 2025 tendered along with the covering letter dated 10th July, 2025 (1+48 pages) is marked as '**X-60**' for identification.

2. We have considered both the reports and we find that the project contractor is running behind schedule. The work appears to have slowed down, even further. The most important part of the project which is the erection of the Jack Well, has lagged behind and the Contractor has achieved only 67%. This

Jack Well was to be completed by May, 2024. Now, that the Rainy season has set in, the project contractor would get an excuse for the delay caused by attributing the delay to the Rainy season. It also appears that adequate work force needs to be deployed on various sites which are at various stages. The project contractor seems to be a little less detached. If the same complement of labour force is to be deployed at different levels/stages by rotating them, the project would never be completed even within the probable time suggested by the project contractor.

3. We, therefore, direct the project contractor to place an affidavit on record to indicate as to when would the Jack Well, the Raw Water Rising Main (RWRM), the Water Treatment Plan (WTP) and the Master Balancing Reservoir (MBR), would be completed. Such affidavit shall be filed before the next date of hearing.

ELEVATED STORAGE RESERVOIRS

4. The learned Senior Advocate Mr. Dhorde, appearing on behalf of the project contractor has given a compilation of Documents with an Index, titled as 'Work Accomplishment Status'. The three sections A, B and C of the Jack Well, the RWRM, the Butterfly Valves, the WTP, Pure Water Rising Main (PWRM), the ESRs and the distribution, are covered in the said Compilation

(58-Pages). The same is taken on record and marked as 'Y-82' for identification.

5. The learned Amicus Curiae Shri. Deshmukh along with Advocate Mukhedkar, submits that even now, the residents of the Chhatrapati Sambhaji Nagar are receiving drinking water once in 12 days. The learned Advocate Shri.Tope, appearing on behalf of the Corporation, submits that the said information is incorrect. At several places the water is supplied once in six days.

6. The learned Amicus Curiae and the learned Advocates appearing on behalf of the MJP and the Corporation draw our attention to several orders that we have passed earlier, only to remind us that the project contractor has been extending assurances not only to this Court but even before the HCCC. Most of the time, the assurance for some reasons or the obstacle or impediments could not be honourable.

ELEVATED STORAGE RESERVOIR

7. The learned Advocate Mr. Dhorde, submits on instructions from the responsible officers of the project contractor, that the A-Wing of the Jack

Well would be completed up to the level of fitment of electric pumps, which is commonly known as the pump floors, on or before 31st August, 2025.

8. The ESRs at Serial Nos.7 to 11 set out in **‘Y-82’** (Page 26), would be handed over to the Corporation within 10 days. The ESRs from Serial Nos.12 to 16 would be handed over to the Corporation within 30 days. With regard to the remaining ESRs, the project contractor would include this aspect in its Affidavit to be tendered to the Court.

9. In view of the above, we are directing the project contractor to tender the affidavit setting forth the road-map and the accomplishment status of the various stages in the projects, which have been completed or are likely to be completed in the nearest future.

ROAD MAP

10. We would request Senior Advocate Mr. Dhorde, to ensure that the said affidavit would be filed by Mr. Ashrith Reddy, Associate Director of the project contractor to give us a reasonable feel of the pace of the project and the completion of the various levels and stages within a particular time line. We would also expect the affidavit to indicate the entire strength of the labourers presently deployed by this project.

11. We grant liberty to the MJP to file a short affidavit to indicate the areas in which the project contractor needs to deploy additional labour force and the machinery that is required for the purpose of going ahead with this project.

12. Considering that the next meeting of the HCCC is scheduled on 16th July, 2025 and the second meeting would be conducted before the end of this month, let both the reports of the meetings be tendered before the Court on 1st August, 2025.

13. List all these matters on **1st August, 2025**, at 3.00 p.m.

[GAUTAM A. ANKHAD, J.]

[RAVINDRA V. GHUGE, J.]