

**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
Commissioner/Administrator ... Respondents

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

Mr. Amit Mukhedkar, for the Petitioner.

Mr. Sanjeev Deshpande Senior Advocate a/w Mr. D. S. Manorkar for the NHAI.

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

Mr. Amarjeet Girase, Government Pleader a/w Mr. M.M. Nerlekar, Addl. G.P., Mrs. Gauri Raghuwanshi, AGP for Respondent/State.

Mr. R.N. Dhorde, Sr. Advocate a/w Mr. Rohan Kaiche i/by Mr. S.N. Suryawanshi, Advocate for Respondent No.15.

Mr. G. Siva Shankar Reddy, Chairman, present in Court.

Mr. Sachin Deshmukh Amicus Curiae, thr. V.C. a/w Mr. Shambhuraje Deshmukh.

Ms. Manisha Palande, Chief Engineer, MJP, Chh. Sambhajinagar, present through V.C.

Mr. Prashant Swami, DCP, Zone-2 Chhatrapati Sambhajinagar present in Court.

Mr. Atul Yerme P.I. Usmanpura, present in Court.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 7TH MAY, 2025

P.C. :

HIGH COURT CONSTITUTED COMMITTEE (HCCC)

1. The learned Government Pleader has placed on record the copy of the minutes of the meeting (54 pages), held on 29th April, 2025 by the High Court Constituted Committee. With a covering letter dated 2nd May, 2025 the said report is tendered in the Court which is taken on record and marked as 'X-56' for identification. We have perused the said report. The project is progressing, though not at the desired speed or as per the assurance of the Project Contractor. Nevertheless, we see that the progress is achieved practically on every head, save and except, certain Elevated Storage Reservoirs (ESR).

2. The learned Senior Advocate Mr. Dhorde points out that the major aspect of the project is the progress in the laying of the pipeline from the Jack Well to the Major Balancing Reservoir (MBR). The construction of the Jack Well has reached almost 63 % and the laying of the pipeline has reached at 97%.

3. The learned Advocate submits that it is not only the concern of the Project Contractor, but a great responsibility to ensure that the Jack Well is completed at a high pace. Keeping in view the peculiarity of

the design and construction of the Jack Well, it is noticed that though there is not much enthusiasm amongst the labourers who can be deployed on the said activities, nevertheless, the chairman of the Company is present in the Court hall today at Mumbai and it is assured that a high complement of labourers would be deployed to ensure that the Jack Well construction is completed at the earliest.

4. We have expressed a desire, keeping in view the onset of the rainy season some time from 15th June, 2025 onwards in the Chhatrapati Sambhajanagar area, that the remaining construction of the Jack Well be concluded by 15th June, 2025.

SUPPLY OF DRINKING WATER

5. In so far as the supply of drinking water to the residents of the city, we are informed with seriousness by the Amicus Curiae as well as certain lawyers who reside in various portions of the CIDCO areas as well as the town, who have addressed us in the Court hall from the Aurangabad Bench, that drinking water is being supplied to the residents, practically once in 12 days.

6. The learned Advocate for the Corporation Mr. Tope has his own reservations and submits that, excluding the day on which the water is supplied, the interval between the two supply days, is around 5 to 6 days in major areas of the town and around 7 to 8 days in other areas. The Amicus Curiae as well as the learned Advocate Mr. Mukhedkar, inform us that the Corporation Officials have not briefed Mr. Tope correctly and their statement is that they have actually received water once in 12 days.

7. Be that as it may, considering the onset of summer and already at its peak in Chhtrapati Sambhajnagar town and the temperatures are soaring to 43°C, we except that the Corporation would ensure that water is supplied to the residents at least once in five days without an exception. Even this suggestion of once in five days appears to be atrocious, since no citizen should be made to starve for water at this rate. Nevertheless, until the water distribution system vide this mega project is established, the Corporation will have to be proactive and ensure that its Officials perform to the best of their ability to quench the fast-growing thrust of the residents of the town.

POLICE PROTECTION

8. In so far as the grievance as regards unnecessary interference in the project activities, the learned Senior Advocate Mr. Deshmukh, appearing on behalf of the MJP has pointed out that an FIR No.0093 of 2025, dated 5th May, 2025 has now been registered with the Vedant Nagar Police Station under Section 173 of the Bhartiya Nagarik Suraksha Sanhita, 2023 and an offence under various provisions of the Bhartiya Nyaya Sanhita, 2023, have been registered against the accused Mr. Vishal Edke. A copy of the said FIR is taken on record and as marked as ‘Y-74’.

9. The learned Government Pleader Mr. Girase points out that the Commissioner of Police Mr. Pravin Pawar is present in the Court hall at the Aurangabad Bench, and submits that the investigation has now been initiated against the accused. Two armed guards are now provided for the security of the Chief Engineer Mrs. Palande, as well as, adequate security at her office premises. So also, protection is granted even to the Senior Officials of the project contractor at Chhatrapati Sambhajnagar. Mr. Girase submits that the Commissioner of Police is seriously committed to ensure that no further instances of threat or any untoward incident is reported in relation to this project, be it the officials of the

MJP or the Project Contractor or any of the workers, would occur.

10. At the cost of repetition, we record as has been recorded in the earlier orders, that any interference in this project by any person belonging to any strata of the society, or any representative of the public at large, would not be tolerated. If any interference on the part of any of such elements causes any obstruction to the project, the concerned MJP department shall register FIR against such persons, in as much as, such instances shall be brought to the notice of the High Court Constituted Committee and which will place a report before this Court in relation to such instances.

ROAD MAP BY THE CONTRACTOR

11. The learned Senior Advocate Mr. Dhorde has tendered a compilation of a spreadsheet dated 2nd May, 2025 (45 pages), which is a road map indicating balance works plan for head works. The same is taken on record and collectively marked as 'Y-75'. Copies are supplied to the colleague advocates. We would expect the learned Advocates for the respective sides to point out their reservations/suggestions, if any, in regard to the road map which would render a supporting hand to productive progress of the project. Let this be done by the next date of hearing.

NEXT MEETING OF THE HCCC

12. We are informed that the High Court Constituted Committed would be meeting on 14th May, 2025, and would ensure that there are at least two meetings in each month.

13. Since the vacations would commence from the 10th of May 2025, by consent of the parties, the matter be listed on **11th June, 2025** at 2.30 p.m.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)