

**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
INTERIM APPLICATION NO.12742 OF 2025
IN
PUBLIC INTEREST LITIGATION NO.188 OF 2022**

Manisha Palande ... Petitioner
Versus
Shrihari Anant Shidore & Ors. ... Respondents

**WITH
INTERIM APPLICATION (ST) NO.35504 OF 2025
IN
PUBLIC INTEREST LITIGATION NO.188 OF 2022**

G.V.P.R Engineer Pvt Ltd ... Applicant
Versus
Shailendra S/o Shirhari Shidore ... Respondent

**WITH
INTERIM APPLICATION NO.12740 OF 2025
IN
PUBLIC INTEREST LITIGATION NO.188 OF 2022**

Shrihari Anant Shidore & Ors. ... Applicants
Versus
Commissioner/Administrator ... Respondents

**WITH
WRIT PETITION NO.2651 OF 2025**

Raju Nanasaheb Chavan ... Petitioner
Versus
The State of Maharashtra ... Respondent

**WITH
INTERIM APPLICATION NO.16240 OF 2024**

GVPR Engineers Ltd Through
the Senior Manager Projects,
G. Mahender s/o Sri. G. Somla ...Applicant
Versus
Shrihari S/ Anant Shidore ... Respondent

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Mr.Shambhuraje Deshmukh, Amicus Curiae a/w. Mr. Amit Mukhedkar,
Advocates for the Petitioner (Through V.C.).

Mr.A. B. Girase, Government Pleader a/w. Mr.O.A.Chandurkar, Addl. GP
and Mrs. G. R. Raghuwanshi, AGP for the Respondent-State.

Mr.Rajendra Deshmukh, Senior Advocate i/by Mr. Vinod Patil & Mr. Amol
Vasmatkar, Advocate for Respondent No.6/MJP.

Mr. S. S. Tope, Advocate for Respondent No.4/Municipal Corporation.

Mr. R. N. Dhorde, Senior Advocate i/by Mr. Sanket N. Suryawanshi,
Advocate for Respondent No.15/Project Contractor.

Mr.Nitin Gaware Patil, Advocate for Respondent Nos.16 & 17 in
PIL/188/2022 & Applicant in IA/12742/2025.

Mr.S.B.Deshpande, Senior Advocate with Mr.Shreyas Deshpande and
Mr. D.P.Madkar i/b. Mr.D.S.Manorkar for the Respondent – NHAI.
(Through V.C.)

Mr. S.G. Karlekar for the SAPL-VC (Joint Venture), present.

Mr.G.Sreekanth, Municipal Commissioner, Chh. Sambhajinagar, present.

Ms.Manisha Palande, Chief Engineer, Maharashtra Jeevan Pradhikaran
(MJP), present.

Mr.Amgouth Sri Ranga Naik, Member Secretary present in the Court.

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**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.**

DATE : 26th FEBRUARY, 2026

P.C:

VISIT OF THE MUNICIPAL COMMISSIONER

1. Pursuant to our order dated 20th February, 2026, the Commissioner of the Municipal Corporation, Chh. Sambhajinagar, Mr.G.Sreekanth is present in the Court. Considering his proactive approach and the nature of immense assistance that he has extended to this project by personally looking into several aspects which begged for attention, we permitted him to address the Court in the light of his Inspection Report dated 26th February, 2026 (52 Pages). The said report is marked as 'Y-112' for identification.

2. The Municipal Commissioner has drawn our attention to each of the heads set out in the report and we appreciate the extent to which he has worked hard on dealing with several practical problems that were involved in the project at a decisive stage. His report deals with the Jack Well, especially the cleaning of the floor slabs, leakages in the walls, and the constructions of three staircases inside the Jack Well. On one staircase, construction upto 7 meters is required, and 4 meters construction is required on the second and the third staircases.

3. With regard to the columns and beams in particular, he points out that the rods and the grills protruding from the columns and beams, need to be cut and removed. He submits that at some places, the personnel will have to perform difficult tasks, which also involves high risk. He submits that volunteers from the Corporation as well as the Fire Department, who have been assisting in the cleaning of the Jack Well on war footing, would continue to render their assistance. He also points out the Electro-Mechanical works at the Jack Well. Adequate lighting is required once the Jack Well is set into operation.

4. With regard to the concrete road to the approach bridge, he has submitted in the report that the approach road is essential for a smooth movement of materials and vehicles required for the casting of the motor floor slab of the Jack Well. According to his assessment, 200 MLD pumping from the Jack Well before the onset of the harsh summer season, might require anything between two weeks to three weeks.

5. He submits that this pumping from the Jack Well needs to commence urgently, since water can be utilized in three phases for cleaning up the residue/accumulation of soil and mud inside the 2500 mm new pipeline, which has to be drained in three phases through the scour valves.

According to the Municipal Commissioner, if the partial commencement of supply of potable water to the extent of 200 MLD is achieved in the coming month, the residents of Chh. Sambhajinagar would be in a position to face the harsh summer and would get a great respite.

6. The Municipal Commissioner informs us that considering the availability of the ESR and GSR, even after the commencement of the 200 MLD supply of water, he would be able to use only 176 MLD in certain areas, which could be upto 80% of the town and if this happens as per the time plans, drinking water in these areas would be supplied once in two days.

7. The learned Senior Advocate, Mr. Deshmukh, appearing for the Maharashtra Jeevan Pradhikaran (**'MJP'**), submits that a communication dated 26th February, 2026 is addressed to the Executive Engineer, Rural Division-I, MSEDCL, Chh. Sambhajinagar, seeking the commencement of the electricity supply. The said communication is marked as **'Y-113'** for identification. The Commissioner of the Municipal Corporation informs us that the electricity supply has already been provided and the consumption of electricity can commence at any moment.

8. With regard to the dismantling of the tower crane and casting of RCC slab, Mr. Deshmukh, informs us that the parties have agreed on certain terms and modalities. He tenders a compilation of three pages, which also includes a design for the centering plate for the proposed slab for casting. The same is marked as 'Y-114' for identification. Mr. Deshmukh, tenders a compilation of five large photographs, which is collectively marked as 'Y-115' for identification. He submits that the Member Secretary of the MJP as well as the Chief Engineer, are present in the Court.

9. He points out that the delivery piping connection to manifolds at the 'NAKSHATRAWADI PUMP HOUSE PUMP DELIVERY PIPING CONNECTION TO MANIFOLDS-10 NO', has been completed. The learned Senior Advocate, Mr. Dhorde, submits that the Concrete Thrust Block has also been done. So also, the work of nut bolt grouting for motors at the Nakshatrawadi Pump House is in progress and as was committed to this Court, the said would be completed within ten days timeline granted by this Court.

10. The learned Senior Advocate, Mr. Dhorde, submits that whatever assistance that would be required, especially with reference to the

damaged chairs, both minor and major as well as the gap between the chair and pipes, and the construction of the three staircases to the extent of the deficit noted, the Project Contractor would render fullest cooperation.

FURTHER VISIT OF THE MUNICIPAL COMMISSIONER

11. Insofar as the report of the Commissioner of the Municipal Corporation 'Y-112' is concerned, we record our appreciation for the efforts put forth by Mr.G.Sreekanth, in personally visiting the project site on multiple occasions and rendering immense cooperation with the aid of the employees of the Corporation and the Fire Brigade. At this crucial stage, we request him to make one more visit on 6th March, 2026, along with the Chief Engineer of the MJP, other Officers of the MJP, the Project Contractor, and take an overall view of the works that needed immediate attention in the light of his Inspection Report 'Y-112'. We would appreciate it if he makes a short report of the said visit and points out to us as to whether there is anything more that is required, keeping in view the intention of the commencement of pumping of water to the extent of 200 MLD at the earliest.

HIGH COURT CONSTITUTED COMMITTEE

12. The learned Government Pleader, Mr. Girase is personally present in the Court hall today at Mumbai and tenders the copy of the minutes of the meeting held by the HCCC on 24th February, 2026 (29 Pages) along with a covering letter dated 25th February, 2026. The same is taken on record and marked as 'X-77' for identification.

GRIEVANCE OF SAPL-VC (JOINT VENTURE)

13. The learned Advocate, Mr. Karlekar, prays for liberty to mention one aspect in these matters, being conscious of the fact that an Interim Application has not been filed.

14. He tenders a note of two pages dated 26th February, 2026. From his brief note, he points out that an entity, namely SAPL-VC (Joint Venture) was awarded the work of construction of 26 MLD Water Treatment Plant ('WTP') on 5th June, 2023. For effective operation and functioning of the said WTP and to ensure speedy supply of potable drinking water to Chh. Sambhajinagar, additional works which were not included in the tender, were also undertaken by the said entity, for example, the 600, 400 and 200 mm pipeline upto re-circulation tank, connection of old and new sump, and restoration of damaged roads etc.

14.1. From 18th August, 2025, the WTP commenced operations and became functional and under the conditions of tender, a trial run was also operated for three months. On 18th November, 2025, the three months trial run concluded. The MJP was expected to take over the WTP plant, either by employing their personnel or handing over the same to the Municipal Corporation.

14.2. He submits that the WTP plant is still being operated by SAPL by employing 5 skilled and 15 unskilled personnel working in three shifts at the cost borne by SAPL. The extra work done is yet to receive approval and a total bill of around Rs.4.5 Crores approximately is pending with the MJP. The bills are submitted.

15. The learned Senior Advocate, Mr. Deshmukh, has responded on instructions that the said issue would be looked into, the extra works would be verified and by following the due procedure, the bills would be cleared at the earliest, keeping in view that SAPL states that the work under the contract is over. We would appreciate if the MJP also considers clearing the bills towards the payments being made by SAPL to the 5 skilled and 15 unskilled personnel and the said 26 MLD WTP be taken over at the earliest or be handed over to the Corporation without any delay.

VISIT OF THE COURT TO THE PROJECT SITE

16. The learned Senior Advocates, the learned Government Pleader and the learned Advocates for the respective sides, on instructions from their clients, make an appeal to the Court to visit the project site at the earliest. This Court had visited the site on not less than three occasions. In view of such request, tentatively, we are contemplating a visit on 8th March, 2026 to Chh. Sambhajinagar City.

17. The learned Senior Advocates, the learned Government Pleader and the learned Advocates for the respective sides also make a request for a hearing in these matters to be held at the Aurangabad Bench on 7th March, 2026, in order to make it convenient to visit the project site on 8th March, 2026.

18. Therefore, tentatively, we are listing these matters on **7th March, 2026**, for a hearing.

(ABHAY J.MANTRI, J.)

(RAVINDRA V. GHUGE, J.)