

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 188 OF 2022

Shrihari S/o Anant Shidore	...Petitioner
<i>Versus</i>	
The Commissioner/Administrator	...Respondent

WITH
WRIT PETITION NO. 2651 OF 2025

Raju Nanasaheb Chavan	...Petitioner
<i>Versus</i>	
The State of Maharashtra	...Respondents

WITH
INTERIM APPLICATION NO.16240 OF 2024

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

Mr. Shambhuraje Deshmukh, Amicus Curiae a/w Mr. Amit Mukhedkar, Advocate for the Petitioner.

Mr. A.B. Girase, Government Pleader (Thr. V.C.) a/w Smt. G.R. Raghuwanshi, AGP, Smt. Priyanka Chavan, AGP for the Respondent/State.

Mr. Rajendra Deshmukh, Senior Advocate h/f Mr. Vinod Patil & Mr. Amol Vasmatkar, Advocate for Respondent No.6.

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

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

Ms. Manisha Palande, Chief Engineer, MJP, Chh. Sambhaji Nagar, present.

CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.

DATE : 12th SEPTEMBER, 2025

P.C. :-

**REPORT OF THE HIGH COURT CONSTITUTED COMMITTEE
(HCCC)**

1. The learned Government Pleader, Shri. Girase and Smt. Chavan, the learned AGP at Mumbai, have tendered two reports of the HCCC meetings with covering letters. The first report of the HCCC meeting conducted on 26th August, 2025 (28 Pages) along with a covering letter dated 10th September, 2025 is taken on record and marked as 'X-64' for identification. Similarly, the report of the meeting held on 10th September, 2025 (30 Pages) along with the covering letter dated 11th September, 2025 is taken on record and marked as 'X-65' for identification.

2. We have perused these reports and we find that the advancement of the project on all fronts, especially with regard to the erection of Section-A, is appreciable. The Jack Well work is close to completion. We have also perused the ready reference data tendered along with the reports indicating the progress made with

regard to the completion of the Elevated Storage Reservoirs ('ESRs').

3. The learned Government Pleader, submits through video conferencing that after the Hon'ble Chief Minister of the State of Maharashtra inaugurated the 900 mm diameter pipeline on 23rd August, 2025 and coupled with some of the ESR having become functional, the water supply to the residents of Chh. Sambhaji Nagar, has improved to the extent of once in five to six days. The learned Advocate, Shri. Tope, appearing for the Corporation submits that as the Maharashtra Jeevan Pradhikaran ('MJP') hands over the various ESRs at various stages, the water supply to the residents would further improve.

4. The learned Senior Advocate, Shri. Dhorde has tendered a compilation of ready reference charts and colour photographs (30 Pages), which indicate the progress made as regards the sub-work of Jack Well, Raw Water Rising Main and the ESRs. The said compilation is taken on record and marked as 'Y-90' for identification.

5. A glance at the various photographs, especially the development of Section-A, is indicative of the progress being made and Shri. Dhorde, submits that if the electrical work for installation and commissioning of the water pumping machines is completed as per the time schedule, Section-A would be ready for trials by the first week of November. Shri. Deshmukh, the learned Senior Advocate submits, on instructions from the Chief Engineer of MJP that the trials are likely to go on for at least a month. As such, the conservative assessment of the parties appears to be that Section-A would actually start pumping water by the first week of December to reach the Water Treatment Plant, for being supplied to the residents of Chh. Sambhaji Nagar.

6. The learned Senior Advocate, Shri. Deshmukh, appearing for the MJP has tendered a ready reference compilation of eight colour photographs, which are with regard to pumping machinery erection work. The photographs pertain to the Air Surge-Vessel, the Pump Discharge Head, the Pump-Column Pipe-Sole Plate Assembly, the 400 Ton Capacity Crane, the Pump-Bowl Arrangement. The said compilation of eight large colour

photographs are taken on record and marked as ‘Y-91’ for identification.

UNFORTUNATE INCIDENT

7. The learned Senior Advocate, Shri. Deshmukh submits that an unfortunate incident occurred in the recent past on 3rd September, 2025 at the Deolai segment. Due to sudden heavy rains, a deep trench dug for laying the 2500 mm diameter pipeline, accumulated water and a five year old boy from the locality in the vicinity, fell into the trench and died due to drowning. The First Information Report (‘FIR’) No.448 of 2025 was registered on 6th September, 2025 with the Chikalthana Police Station, Chh. Sambhaji Nagar (Rural). The Contractor as well as the MJP have been arraigned as accused.

8. We, therefore, find that an element of compensation is likely to arise since this is purely an accident. We expect the HCCC to take up this issue in its agenda in the ensuing meeting scheduled on 24th September, 2025. We find it appropriate to remind the Project Contractor that it should be erecting hard barricades around the trenches, especially in the areas where various villages or localities are in the vicinity where the project work is ongoing and

deep trenches are being dug for laying the pipelines. There could also be a possibility that live-stock may also fall in such trenches, which would lead to a claim for compensation. Let this barricading be resorted to scrupulously and it would be the responsibility of the Project Contractor to ensure that the barricading is done in such a manner that there would be no further accident of this nature.

9. Since an apprehension is voiced before us that the Municipal Corporation may resort to changing the orientation of the pipelines or the concrete roads in the lanes, we order, as was also ordered earlier, that no Authority would change the orientation of the pipelines of the project or divert the direction or laying of the pipelines and no concretisation of the roads would be carried out, until the water pipeline and the sewage pipeline beneath such roads, are laid.

10. List this matters on **3rd October, 2025 at 3:00 p.m.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)