

**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.

Mr.Sanjeev Deshpande, Senior Advocate with Mr.D.S.Manorkar and Mr.Manesh Swami for the Respondent – NHAI.

Mr.S.S.Tope for the Chhatrapati Sambhajanagar Municipal Corporation- Respondent Nos. 1 to 4 (through VC).

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. Suryawanshi for Respondent No.15.

Mr.Sachin Deshmukh, Amicus Curiae a/w. Mr. Shambhuraje Deshmukh (through VC).

Ms.Manisha Palande, Chief Engineer, MJP, Chhatrapati Sambhajanagar (through VC).

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

**CORAM : RAVINDRA V. GHUGE &
M. M. SATHAYE, JJ.**

DATE : 11TH JUNE, 2025

P.C.:-

1. It is brought to our notice that the appearances of Mr. Rajendra S. Deshmukh, the learned Senior Advocate, along with the learned Advocate Mr.Amol G. Vasmatkar and Mr.Vinod Patil, were not shown in the appearance column of the order dated 7th May, 2025. As such, the appearances of *Mr. Rajendra S. Deshmukh, the learned Senior Advocate along with the learned Advocates Mr.Amol Vasmatkar and Mr.Vinod Patil* be shown in the appearance column. The order be corrected accordingly and be uploaded.

2. The learned Government Pleader has placed on record the copy of the minutes of the meeting, dated 14th May, 2025 held by the High Court Constituted Committee (HCCC) along with a covering letter dated 3rd June, 2025. The said compilation (1 + 42 pages) is marked as '**X-57**' for identification. The learned Government Pleader has also placed on record the minutes of the meeting held by the HCCC, dated 29th May, 2025 along with a covering letter dated 10th June, 2025. The said compilation (1+ 35 pages) is marked as '**X-58**' for identification.

3. Mr. R.S.Deshmukh, the learned Senior Advocate for the MJP, has placed on record a compilation of documents and communications (30 pages). The same are marked as 'Y-76' for identification.

4. Mr. Dhorde, the learned Senior Advocate for Respondent No.15, has placed on record the following documents :

(a) A compilation of 11 photographs with regard to the construction of the Jackwell. The same is marked as 'Y-77' for identification.

(b) A compilation of ready reference data as regards the Raw Water Rising Main (RWRM) and the GAP status of the completion of the various aspects of the chainage and their locations, along with photographs (16 pages). The same is marked as 'Y-78' for identification.

(c) A compilation of photographs as regards the completion of construction of the Water Treatment Plant and installation of the electrical fittings thereon (4 photographs). The same is marked as 'Y-79' for identification.

(d) A ready reference chart with regard to the progress of the Elevated Storage Reservoirs (ESR), the Grounds Storage Reservoirs (GSR)

and the Sump, along with photographs (30 pages). The same is marked as 'Y-80' for identification.

5. We have considered the submissions of the learned Senior Advocates, Mr. R.S. Deshmukh, Mr.Dhorde and Mr. Sanjeev Deshpande; the learned Government Pleader, Mr. Girase; the learned Amicus Curiae, Mr. S.V.Deshmukh; and Mr.Tope, the learned Advocate representing the Corporation.

6. We find that the Hon'ble Chief Minister of the State of Maharashtra has personally taken a detailed view of the progress of the project under the Amrut-2.0 Programme by convening a meeting on 28th May, 2025 in Mumbai, which has been described as the "War Room Meeting". The Hon'ble Deputy Chief Minister and various Hon'ble Ministers, as well as various Secretaries of the different Departments, the Police and the Revenue Authorities along with the Project Contractor, had participated in the said meeting. The progress under each head of the project was scrutinized and a road map for partial commissioning of the scheme, tendered by the Project Contractor, was also recorded. The Project Contractor also submitted details of work-wise road map plans along with a brief summary of the partial and full commissioning schedules. These have

been recorded on page Nos. 8 and 9 of the report, **X-58**. The Project Contractor has given commitments in the “War Room Meeting” and the same have been recorded under the caption of “**Finish Date**”.

7. We, thus, find that several heads of the project have reached critical stages. Many of the ESRs have been completed and it would be a matter of time that they would be handed over to the Corporation. The road map indicating priority works’ plan for partial commissioning of the scheme, is well set out in the report, **X-58**.

8. The learned Senior Advocates and the learned Advocates appearing for the various Authorities before us submit that the hurdles in the form of interference or obstruction by humans or otherwise, have now been over come pursuant to the earlier orders of this Court and it appears that the project is now progressing without obstacles. Needless to state, the parties are at liberty to inform the Court as regards any obstruction by any person, whosoever he/she may be, keeping in view our earlier directions that any obstruction in this project would be considered as defiance of the orders of this Court and would be treated as contempt besides permitting the State Authorities to lodge criminal complaints against such persons.

9. During the course of the submissions of the learned Advocates, we are informed that the Chief Administrative Officer of MJP, Mr. Gajanan Gurav, has issued transfer orders to various Officers of the Maharashtra Jeevan Pradhikaran (MJP), vide the office order dated 29th May, 2025. A photostat copy of the office order dated 29th May, 2025 is taken on record and marked as 'Y-81' for identification. One Officer, Mr.K.N.Patil, Deputy Engineer and holding the additional charge of the Executive Engineer, was concerned with the present new water pipeline project. It appears that he has been transferred to Buldhana by giving him an independent charge of Executive Engineer.

10. There is no reason at this stage, of interfering with the administrative functions of the said Authority. However, we are reminded by the learned Advocates that earlier, an Executive Engineer, Mr. Deepak Koli, was moved out of the zone of this project being conducted by the MJP. There is an apprehension that, now that the post of EE is vacant, he might return on this project.

11. The project of this magnitude, being undertaken under the Amrut- 2.0 Programme, has been facing several challenges. In the last almost three years, ever since this Court started monitoring the project from

June, 2022, several obstacles/ obstructions/ challenges have been overcome. This project has suffered its share of difficulties. We do not wish that any further difficulties be created in this project and hence, we indicate to the Chief Administrative Officer, Mr.Gurav, that as Mr. Deepak Koli has been disassociated from this project, we would not appreciate his return to this project.

12. Mr.Girase, the learned Government Pleader, submits that he will specifically bring this aspect to the knowledge of Mr. Gurav.

13. Since the meetings of the HCCC are now scheduled on 16th June, 2025 and 30th June, 2025, by the consent of the parties and to enable the Chairman of the Committee to generate the reports of the said meetings, this matter shall be listed on **11th July, 2025 at 3.00 pm.**

(M. M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)