



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**Public Interest Litigation No.13 of 2025**

*Janmanch, through its President Shri Rajeev Gajanan Jagtap*

vs.

*Nagpur Municipal Corporation, through its Municipal Commissioner, Civil Lines, Nagpur  
and others*

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*Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.*

*Court's or Judge's Orders*

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*Mr. Parvez Mirza with Mrinall Chakravorty, Advocates for the Petitioner.  
Mr. J.B. Kasat, Advocate for Respondent No.1.  
Mr. G.A. Kunte, Advocate for Respondent Nos.2, 9 & 10.  
Mr. P.V. Navlani, Advocate for Respondent No.3.  
Mr. A.A. Kathane, Advocate for Respondent No.4.  
Mr. S.M. Ukey, Additional Government Pleader for the State.  
Mr. Vaibhav Jagtap h/f Mr. Tarun Parmar, Advocate of the Intervenor.*

**CORAM : ANIL L. PANSARE & NIVEDITA P. MEHTA, JJ.**

**DATE : 25<sup>th</sup> MARCH, 2026.**

In response to the concern expressed by the Court regarding the construction of the District Court Building at Gadchiroli, in the Administrative Meeting, the Superintendent Engineer, Gadchiroli, has filed an affidavit stating that the estimated cost of the work is ₹218.54 lakh. The Law and Judiciary Department, Mantralaya, Mumbai, has, however, granted administrative approval for an amount of ₹139.29 lakh. According to the Superintendent Engineer, the construction of a ground floor + one storey building cannot be completed in the amount so approved. According to her, the construction of the ground floor itself would require approximately ₹139.00 lakh. The affidavit is taken on record.

02. Thus, it appears that the estimated cost for the construction of the Lawyers' Hall (G+1) at the District Court, Gadchiroli was ₹218.64 lakh, whereas the Law and Judiciary Department has granted administrative approval for an amount of ₹139.29 lakh. We would, therefore, like to know as to how, could there be such a difference in the amount, in the sense how the work that would require ₹218.00 lakh (according to PWD) could be

done in an amount of ₹139.00 lakh as approved by the Law and Judiciary Ministry, Mumbai.

03. The petitioner shall, accordingly, implead the Principal Secretary, Law and Judiciary Department, Mantralaya, Mumbai, as party-respondent No. 15.

04. Issue notice to the newly added respondent No.15.

05. Mr. S.M. Ukey, Additional Government Pleader waives service of notice on behalf of respondent No.15.

06. The newly added respondent shall justify the administrative approval of ₹139.29 lakh, where the PWD has estimated the cost of the work at ₹218.64 lakh. An affidavit shall be filed before the next date. In the meantime, the newly added respondent, in coordination with the PWD Department, shall expedite the process of approval so that the building could be constructed within time.

07. So far as the construction work of the Court Building at Chandrapur is concerned, the learned Additional Government Pleader has tendered across the Bar an affidavit sworn by the Executive Engineer, PWD No. 1, Chandrapur, stating that the work has commenced and that the amount of the pending bills will be released. The same is taken on record. He further submits that demand bills were not raised by PWD.

08. We find this approach completely contrary to the terms of contract, in the sense, the respondent concerned is supposed to make arrangement of funds while issuing work order for a particular work. In the present case, the Contractor has stopped the work as his running bills were not paid. The Executive Engineer concerned is required to record the monthly bills in the Measurement Book, whether or not the work is carried out by the contractor. We, accordingly, call upon the Executive Engineer to produce before us the Measurement Book pertaining to the construction work of the District Court Building at Chandrapur. Thus, because of failure

of the Executing Agency, the construction work of the Court Building is adversely affected.

09. At this stage, the learned A.G.P. submits that the bill appears to have been raised by the Executive Engineer and a demand of ₹600.00 lakh was made. He further submits that the demand was firstly raised in December 2025 and secondly in February 2026. Despite such status, the Finance Ministry has not released the amount. If what is stated is correct, the fault lies either with the PWD or the Finance Ministry. The sufferer, however, is the public at large, because absence of the Court building with proper amenities, will adversely affect the justice delivery system. We, therefore, call upon the Secretary, Finance, to apprise us as to why the amount has been not released either before or immediately after the issuance of the work order. We direct the Secretary, Finance Ministry, to immediately release the entire estimated amount for the said work. The amount shall be released before 31st March, 2026. The Secretary, Finance Ministry, shall also take steps to release the amounts in respect of all pending works related to the High Court and the District Courts in the Vidarbha region.

10. The learned Additional Government Pleader has now tendered across the Bar an affidavit sworn by the Secretary, Finance Department. Perusal of the same indicates that the burden is shifted on the Law and Judiciary Department. We do not intend to go into this aspect, inasmuch as our concern is to facilitate the public to get justice and for that purpose, the Finance Ministry and other departments, including the Law and Judiciary Department, must take collective steps to ensure that funds are released so that the work is completed in time. The affidavit further indicates that the Central Government has to contribute to the funds, which it has not. The petitioner shall, therefore, implead the Secretary, Ministry of Finance, Government Of India, New Delhi, as party-respondent No.16.

11. Issue notice to the newly added respondent No.16.

12. Mr. Navlani, learned Advocate waives service of notice on behalf of the Deputy Solicitor General of India for the newly added respondent. He shall take instructions in the matter.

13. We, however, expect the Central Government and the State Government to work together and ensure that the citizens of the country will get justice in time, for which adequate infrastructure is one of the essential requirements. Delay in the project may amount to interference in the administration of justice.

14. The D.S.G.I. and the learned A.G.P. shall accordingly take instructions and apprise us on the next date as to what steps are taken and will be taken to ensure that all pending works will not be affected for want of funds. We direct both the Ministries to release the requisite funds by 31<sup>st</sup> March, 2026.

15. As regards the pending work of the High Court, the learned A.G.P. seeks time to file an affidavit. The affidavit shall be filed by 30<sup>th</sup> March, 2026. He further submits that there is some difficulty in completing some of the works by 31<sup>st</sup> March, 2026, as earlier assured, and seeks time to place on record the details thereof, along with a request to extend the time.

16. If the Executive Engineer concerned is unable to adhere to his assurance, we would expect the superior officer to examine the issue and place before us the details as to what steps were taken to complete the work as assured, who shall also take appropriate action against the erring officers if necessary steps for completion of the work are not undertaken. Let the Chief Engineer file an affidavit in this regard.

17. As regards the accumulation of water in certain localities of Nagpur city, Mr. Kasat, learned Counsel for the Corporation on previous date has assured that appropriate steps will be taken to drain out the water. The learned Counsel for the petitioner submits that this aspect has been not seriously looked into. He further submits that the solution put forth by the NMC is impracticable and seeks time to place certain material on record. We

grant permission to do so. The documents/material shall be placed on record within one week from today.

18. List on 8<sup>th</sup> April, 2026 for further consideration.

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(Nivedita P. Mehta, J.)

(Anil L. Pansare, J.)