



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

PUBLIC INTEREST LITIGATION NO.13 OF 2025

Sanmanch, Thr. President, Shri Rajiv Jagtap, Zenda Chowk, Dharampeth, Nagpur
vs.

Nagpur Municipal Corporation, Thr. Municipal Commissioner, Nagpur and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Mrinal Chakravarty, Advocate for petitioner.
Shri J. B. Kasat, Advocate for respondent No.1/NMC.
Shri G. A. Kunte, Advocate for respondent Nos.2,9 and 10.
Shri P. V. Navlani, Advocate for respondent No.3.
Shri A. A. Kathane, Advocate for respondent Nos.4 and 11.
Shri S. M. Ukey, Additional Government Pleader for respondent Nos.5, 6 & 13.

CORAM : ANIL L. PANSARE AND RAJ D. WAKODE, JJ.

DATED : 23rd December, 2025

In response to order dated 09/12/2025, particularly paragraph 18 thereof, respondent No.13-Chief Engineer, Public Works Department (PWD), Nagpur has filed affidavit stating therein that there are total 19 works which are to be carried out by the PWD, Division No.1, Nagpur. Out of said 19 works, only the work for repair and renovation to VVIP and VIP Guest House at JOTI Premises, Nagpur has been allotted a fund of Rs.97.38 lakhs. For remaining works, no budgetary allocation is made. Demand has been made with Finance Department.

2. Learned Additional Government Pleader submits that though budgetary allocation is not made, work is in progress.

3. We find this statement to be incorrect since we are aware that these works have been almost stopped for want of budgetary allocation.

When enquired, learned Additional Government Pleader submits that budget is allotted by Finance Secretary, State Government.

4. The petitioner shall add Finance Secretary, State Government as party respondent No.14.

Issue notice to newly added respondent, returnable after two weeks.

5. Respondent No.13-Chief Engineer, PWD Nagpur shall justify allotting works to contractors without budgetary allocation. Finance Secretary, State Government shall take appropriate steps and make provisions for allocation of funds immediately.

6. Despite above status, respondent No.13 has filed a chart with affidavit stating therein that pending works will be completed by 31/03/2026.

Statement is accepted as undertaking to this Court. Respondent No.13 shall also ensure that upon completion of works, payment will be made to all the contractors well within time in terms of contract. Respondent No.14 shall accordingly make necessary budgetary allocation well within time.

Affidavit of respondent No.13 dated 23/12/2025 alongwith chart is taken on record.

7. On the issue highlighted by us as regards Mankapur-Gorewada ring road, learned Additional Government Pleader has filed affidavit dated 21/12/2025 on behalf of respondent-Executive Engineer, PWD, World Bank Division, Nagpur. Affidavit is taken on record.

Learned counsel for the petitioner seeks time to go through the affidavit. Time granted.

8. We have in paragraph 17 of order dated 09/12/2025 referred to death of one of the contractors viz. Shri P. V. Verma alias Munna Verma, proprietor of Shri Sai Associates who allegedly committed suicide due to non-release of funds in time.

9. Counsel for petitioner submits that information has been collected in this regard. PWD has not allotted any work to Shri Verma. He was sub contractor and had his own liabilities which includes bank liability. His death, as such, has no nexus with payment by PWD.

That being so, no further order in this regard is necessary. The legal representatives of Shri Verma are at liberty to avail remedy as is available in law.

10. Shri A. A. Kathane, learned counsel for respondent-NHAI seeks time to file reply in response to order dated 09/12/2025 wherein certain directions were given to respondent No.11-NHAI.

11. As far as observations made in paragraph 16 of order dated 09/12/2025 are concerned, same pertain to level difference in the construction of road, where part of road is constructed by paver blocks and other part of road is constructed by concrete and because of it accidents occur.

12. Learned Additional Public Prosecutor, on instructions, submits that appropriate steps have been taken. The level difference has been cured. Affidavit to that effect will be filed within two weeks.

We appreciate the efforts taken by respondent-PWD, Nagpur.

We expect that all the respondents should ensure that this level difference where ever it occur, whether in Nagpur or on highway, and for whatever reasons it occur, should be appropriately dealt with to prevent accidents on this count.

13. So far as the issue of rise in road level resulting into accumulating water in the houses of the citizens is concerned, counsel for Nagpur Municipal Corporation seeks time to file affidavit as regards remedial measures that will be taken before the ensuing rainy season and further the manner in which cement roads/other

roads will be constructed in future. He submits that the issue of water logging in the localities will also be addressed in the affidavit.

14. The Nagpur Municipal Corporation shall ensure that remedial measures will be taken well before the ensuing rainy season.

15. List after vacation.

(Raj D. Wakode, J.)

(Anil L. Pansare, J.)