



13-2025

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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 & Ors.)

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

Court's or Judge's orders.

Mr. Parvez Mirza, Counsel for the petitioner.
Mr. J.B. Kasat, Counsel for respondent no.1.
Mr. G.A. Kunte, Counsel for respondent nos. 2, 9 and 10.
Mr. Pankaj Navlani, Counsel for respondent no.3.
Mr. Anish A. Kathane, Counsel for respondent no.4.
Mr. S.M. Ukey, A.G.P. for respondent nos. 5, 6, 13 and 14/State.
Mr. N.S. Jadhav, Counsel for respondent no.12.
Mr. Vaibhav Jagtap h/f Mr. Tarun Parmar, Counsel for the intervenor/s (CAO No. 46/2026).

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CORAM : ANIL L. PANSARE AND
NIVEDITA P. MEHTA, JJ.
FEBRUARY 25, 2026

Vide order dated 23/12/2025, the petitioner was directed to add Finance Secretary, State Government, as party respondent no.14. The Counsel for the petitioner submits that the amendment is carried out.

2] The learned A.G.P. submits that correction/ amendment is not made in his file.

3] We are surprised to hear such a plea at the hands of the learned A.G.P., inasmuch as, it is not the duty of the petitioner's Counsel to amend copy of petitions supplied to other side. It is a different matter that petitioner should serve amended copy of petition to other side. In the present case, the amendment is such that the respondents could have taken note of the order itself.

4] Be that as it may, the amendment has been carried out. The respondents shall take note of the amendment.

5] The learned A.G.P. waives notice for respondent no.14.

6] By the aforesaid order, respondent no.14 was directed to make necessary budgetary allocation. The learned A.G.P. submits that till now, Rs.5 crore out of Rs.72 crore demanded, is allotted, and that remaining amount is likely to be received shortly. The statement is accepted.

7] Respondent no.13 shall place before us progress report of the works mentioned in first paragraph of order dated 23/12/2025.

8] Since the issue of budgetary allocation has cropped-up, we may take note that some of the works of construction of buildings of District Courts are stalled for want of funds.

9] Respondent no.13 shall, accordingly, place before us the amount of work of construction of various Court buildings at various Districts taken up within the jurisdiction of this Court, and budgetary allocation made by respondent no.14. We would also request respondent no.14 to look into the matter, and make appropriate allocation of fund so that none of the works will be hampered for want of funds.

10] As regards issue of construction of road supervised by National Highways Authority of India

(N.H.A.I.), the Counsels appearing for N.H.A.I. and respondent no.12 – Contractor, seek time to file affidavit in compliance to order dated 23/12/2025. Granted. Reply shall be filed within two weeks from today.

11] Coming to the issue involved in the petition, which pertains to rise in road level resulting into accumulating water in the houses of citizens, the Nagpur Municipal Corporation (NMC) has filed an affidavit saying that necessary instructions are given to the concerned Officials. We, however, expected the NMC to place before us the measures that will be taken to overcome the issue of water logging in the localities in ensuing rainy season.

12] The NMC shall, accordingly, file an affidavit giving details of the measures that will be taken before rainy season of 2026 to address the issue of water logging in the localities. The NMC shall give details as to how water flowing from road in the localities will be drained out and discharged at appropriate places, particularly in places, where provision of side drain is not made or the condition is such, where side drain could not be constructed.

13] List for further consideration on 9/3/2026.

(JUDGE)

(JUDGE)

Sumit