



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

PUBLIC INTEREST LITIGATION NO. 13 OF 2025

(Janmanch, through its President Shri Rajeev Gajanan Jagtap ..vs.. Nagpur Municipal Corporation and others)

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 with Ms. Mrinall Chakraworty, Counsel for the petitioner,
Mr. J.B. Kasat, Counsel for respondent No. 1,
Mr. Pratik Khedikar, Counsel h/f. Mr. G.A. Kunte, Counsel for respondent Nos. 2, 9 & 10,
Mr. Pankaj Navlani, Counsel for respondent No. 3,
Mr. A.A. Kathane, Counsel for respondent No. 4,
Mr. S.M. Ukey, Addl.G.P. for respondent Nos. 5 to 8, 13 & 14,
Mr. N.S. Jadhao, Counsel for respondent No. 12,
Mr. Vaibhav Jagtap, Counsel h/f. Mr. Tarun Parmar, Counsel for the intervenor (CAO No. 46/2026).

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

DATED : 9th MARCH, 2026

When matter was called, the Executive Engineer was not present nor is any other officer present.

2] We, accordingly, call upon respondent No. 13 Chief Engineer to personally remain present at 2:30 pm today.

3] In response to order dated 25/2/2026 and previous such orders, respondent No.1 has filed an affidavit stating therein that in ensuing rainy season, there will be no water logging in any part of Nagpur city. The Counsel submits that the measures that will be taken to ensure proper water drainage, have been given in the affidavit. The statement is accepted. The proposed measures are as under :

"2. I say and submit that, insofar as the details of the measures that will be taken before rainy season of 2026 to address the issue of water logging in the localities, the following measures will be undertaken before rainy season of 2026:

A. Construction of side drain will be undertaken at appropriate places to drain out and discharge the water where water flowing from road in the localities can be drained out and discharged and If construction of side drain could not be undertaken then at appropriate places to drain out and discharge the water submersible pumps will be installed to drain out and discharge the water.

B. Where the cement-concrete road is having storm water drain then for smooth flow/drain out of rain water the height of the storm water drain will be increased, as per requirement by taking into consideration road design and technical specifications.

C. Where the cement-concrete road is already constructed and in view of rise in the road level resulting into accumulation of water in the houses the recharge pit for percolation of water in the soil will be constructed.

D. Where the cement-concrete road is already constructed and in view of rise in the road level resulting into accumulation of water in the houses a chamber at the lowest of the premises/plots which are low in level than the newly constructed CC roads and the said chamber will be connected by PVC pipe to the storm water drain chambers by 100 mm to 150 mm DWC/PVC pipes.

E. During the ensuing Monsoon-2026 the Municipal Corporation will operate at 24X7 emergency control room, emergency response system shall be kept ready in every zone, high-capacity pumps will be deployed to remove the accumulated water from water logged area.”

4] When enquired, the Counsel for respondent No.1 submits that necessary steps, including construction of side drainage, percolation of water in the soil, chamber work for draining out storm water, will be undertaken and completed before ensuing rainy season. The Statement is vague, and therefore, we direct respondent No.1 to complete the work before 31/5/2026.

5] As regards arrangement of accumulation of water, which cannot be drained out and which is proposed to be drained out by submersible pumps, the solution appears to us to be impractical. Experience shows that water accumulates at multiple locations in Nagpur

city. It will be a challenging task to have these many submersible pumps, and further, to deploy them simultaneously at all the places.

6] Thus, this is not the effective solution. Respondent No.1 shall examine this issue to find out a solution by identifying these locations and by making appropriate arrangement to drain out the water wherever it accumulates so that the water should drain out without manual interference.

7] The above exercise shall also be carried out by NIT for the works within its jurisdiction. Necessary affidavit shall be filed before next date.

(Nivedita P. Mehta, J.)

(Anil L. Pansare, J.)

Later On :

8] The Chief Engineer Mr. S.S. Mane is present. Heard.

9] As regards the construction/renovation works of the High Court amount of about Rs.15 Crores is disbursed and will be utilized for the said works. He reiterates that all pending works pertaining to the High Court, including works of Bungalow, JOTI, etc., will be completed by 31st March, 2026. So far as the allocation of funds for infrastructure work of District Judiciary is concerned, he seeks time to take instructions.

10] We grant time, with a note that extension of time has been sought by the Contractor, saying that further work will be continued only upon receipt of payment of pending bills. The State Government, including Finance Secretary, shall file affidavit as to what steps will be taken to

ensure that the works which have commenced will not be stopped for want of funds. The State Government, including Finance Secretary, shall also show cause as to why should we not order and direct the concerned official and Ministry to bear the costs of additional works incurred because of delay in completion of project for want of funds, and why should not action be recommended against them for not taking necessary steps for smooth completion of works. The delay in completion of work, in a way affects the process of administration of justice. The affidavit shall be filed by 24-03-2026.

11] List the matter on 24-03-2026.

12] All the concerned to act on steno copy.

(Nivedita P. Mehta, J.)

(Anil L. Pansare, J.)

Sumit/adgokar