

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

WRIT PETITION NO. 5856 /2007

(Anandilal s/o Hajarimal Bhutada and another vs, Shegaon Municipal Council, Shegaon and others)

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

Court's or Judge's order

Mr. F.T.,Mirza, as *amicus curiae*
Mr. D.M. Kale h/for Mr N.R.Saboo, Adv.for Res.No.1
Mrs. Bharati Dangre, Govt. Pleader for Res.Nos.2 to5
Mr. A.R.Patil Adv. for respondent no.6
Mr.N.Lambat, Adv. for respondent no.9

CORAM : B.R.GAVAI &
INDIRA K.JAIN, JJ.
DATED : 30th July, 2015.

Vide our order dated 15th July 2015 insofar as providing connection of sewerage line to the properties in the Municipal Council is concerned, we had directed the Divisional Commissioner to sanction an amount of Rs.1,20,00,000/- (one crore twenty lac) from PLA account as a loan to the Municipal Council, Shegaon.

Smt. Bharati Dangre, learned Government Pleader states that the Divisional Commissioner has already addressed a communication to the Planning Department for sanctioning the said amount. However, the Planning Department, relying on the Government Resolution dated 21st August, 2014 has

pointed out that under the 'Maharashtra Swarna Jayanti Nagarotthan Mahaabhiyan Yojana' the Municipal Council can be provided the requisite funds for sewerage line etc.

Perusal of the Government Resolution would reveal that said Government Resolution deals with entire work including sewerage plant/line etc. However, in the present case, almost the entire work including underground sewerage pipeline, sewerage treatment plant is complete. What is left only is connecting the houses to the sewerage plant. In any case, we had directed the said amount to be given as a loan to the Municipal Council, also specified the period during which the Municipal Council to recover the said amount and if necessary by taking such steps as are provided in the statutes for recovery of municipal taxes.

In that view of the matter, we direct that our order dated 15th July 2015 of giving loan of Rs. 1,20,00,000/- to the Municipal council from the PLA account shall be complied with within a period of one week.

S.O. to 5th August, 2015.

JUDGE

JUDGE