

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5652 OF 2013

KIRAN PRAKASH PAKHRE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Shailesh P. Brahme
Mr. S.G. Karlekar, AGP for respondent No.1
Mr. D.P. Bakshi, Advocate for respondent No.2.
Mr. A.S. Bayas, Advocate for respondent No.5
Mr. S.B. Ghute, Advocate for respondent No.6.

CORAM : MOHIT S. SHAH, C.J. &
N.W. SAMBRE, J.
DATE : 23RD MARCH, 2015.

PER COURT:

1] Heard.

2] By this petition under Article 226 of the Constitution of India, the petitioner - a member of the Varud Kazi Gram Panchayat has challenged the Water Supply Scheme in the Village implemented vide administrative sanction dated 26th January, 2013, issued by the Aurangabad Zilla Parishad.

3] The Gram Panchayat, Varud Kazi, in its meeting held on 16th August, 2013, passed a resolution to implement the Water Supply Scheme at an expense of Rs. 2.23 Crores, the administrative sanction for which was granted by the Zilla Parishad, Aurangabad.

4] Aggrieved by the said resolution, the petitioner filed a representation before the Zilla Parishad, whereupon, the Zilla Parishad

constituted a Committee for looking into the allegations/representation of the petitioner. After a detailed enquiry, the Committee submitted its report dated 1.7.2013, by which the Committee did not find any substance in the petitioner's grievances. The report runs into 16 full scape pages.

5] The petition is opposed by the Gram Panchayat as well as the Zilla Parishad.

6] Apart from the fact that this Court would not sit in appeal over such technical and administrative issues about Water Supply Scheme for the benefit of the villagers in the village, it is brought to our notice during hearing that almost 90% of the work under the Scheme is completed and the scheme is on the verge of completion. In that view of the matter, we are not inclined to interfere in our discretionary and prerogative writ jurisdiction.

7] Writ petition stands dismissed.

[N.W. SAMBRE, J]

CHIEF JUSTICE

grt/-