

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

PUBLIC INTEREST LITIGATION NO. 61 OF 2015

Chandrashekhar s/o Kachruji Sarode

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. K.B. Jadhav, advocate for petitioner.

Mr. N.B. Patil, AGP for the State.

Mr. A.D. Aghav, advocate for respondents 4, 7 and 8.

Mr. V.C. Patil, advocate for respondent 5 and 6.

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CORAM : R.M. BORDE &

V. K. JADHAV, JJ.

DATE : 28TH SEPTEMBER, 2015.

PER COURT :

1. Petitioner is praying for issuance of directions to respondents to recover amount of Rs. 2,86,571/- as has been assessed by the Accounts Officer.

2. It is the contention of petitioner that respondents 5 and 6 who were the office bearers of the Committee have committed default in completing water supply work under the Bharat Nirman Water Supply Scheme for village Dawarwadi and, the amount quoted above is recoverable from the Committee. It is the contention of petitioner that an enquiry was conducted in respect of the deficiencies in the work carried out by the Committee and, the enquiry officer has determined the amount recoverable.

3. Affidavit-in-reply has been presented on behalf of respondents 4, 7

and 8 by the Executive Engineer (Water Supply), Zilla Parishad, Aurangabad wherein it has been pointed out that out of the recoverable amount of Rs. 2,86,571/-, the Committee has later on carried out work in respect of approach road and switch room which is valued at Rs. 1,46,367/-. The balance amount of Rs. 1,40,204/- has been recovered from respondents 5 and 6. It does appear that respondents 4, 7 and 8 have adopted proper course and enforced recovery of amount due from respondents 5 and 6. In view of the action taken by the concerned respondents as against respondents 5 and 6, the grievance raised by petitioner in the instant petition has been substantially redressed.

4. In view of reasons recorded above, P.I.L. stands disposed of. It would be open for the concerned respondents to take appropriate action against respondents 5 and 6, including prohibiting them from continuing as office bearers of the Committee, in view of lapses allegedly committed by them and, we direct respondents to take appropriate action against concerned individuals expeditiously.

(V. K. JADHAV)
JUDGE

dyb

(R. M. BORDE)
JUDGE