

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

(1)

WP NO.7953/2011

**73 WRIT PETITION NO. 7953 OF 2011**

M/S CHANAKYA LAW ASSOCIATES THROUGH PROPRIETOR  
VERSUS

THE STATE OF MAHARASHTRA AND ORS

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Advocate for Petitioner : Mr. R D Biradar  
AGP for Respondent State: Mrs. A.V.Gondhalekar

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CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: January 05, 2015

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PER COURT :-

1. The petitioner is praying for issuance of directions to the respondents to observe method of compartmental bunding in accordance with the norms prescribed under relevant Government Resolutions. An affidavit-in-reply has been presented on behalf of the State and in paragraph nos. 6 to 8, it is observed thus:

"6. It is submitted that initially the work of the Compartmental Bunding was executed through labourers. To speed up of the work, the Government has taken decision vide GR dt.11.4.2008 that Compartmental Bunding works should be executed with the help of machinery excluding works under MNREGA. Therefore, the Compartmental Bunding Works has been executed through machinery. However, the Buns are constructed of required section by taking the soil from 2.5 to 4 metres distance according to soil type. It is not true that the points mentioned in para no. 5 that the soil for constructing Bund carried from 10 to 15 meters. Not a single farmer from the district has made any complaint regarding soil fertility losses and yield reduction.

AGP/-

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However, due to construction of such Compartmental Bunds erosion of soil reduced and fertility of soil increased. Due to the Bunds soil and water conservation is achieved.

7. I say that at the end of the Bund sufficient care has been taken to remove excess and safe water discharging by constructing vegetative/pipe outlets. The Bunds have been constructed technically perfect as per the provisions in the GR. There is no water seepage from any Bund. There is not a single complaint about it. In view of this, the allegations made in para 6 of the petition are not true.

8. It is submitted that the work of Compartmental Bunding has been done as per the technical guidelines. The measurements of the works taken as per the actual work executed. The work executed has been checked by the higher officers as per the norms prescribed by the department. Therefore, the say of the petitioner that the respondent no.2 is conducting 20-25% of works against 100% is not true. The allegations made in para no.7 are not true. "

2. In view of the affidavit in reply tendered on record, the grievance raised by the petitioner in the instant petition, which is too vague in material particulars, does not deserve consideration.

The Writ Petition stands dismissed.

( P.R. BORA, J. )

( R. M. BORDE, J. )

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