

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6274 OF 2012

Shri Mohan Shripad Ghatpande. ... Petitioner.
V/s.
State of Maharashtra and others. ... Respondents.

WITH
CIVIL APPLICATION NO. 866 OF 2013

Vasant Ramchandra Deshpande and others. ... Applicants.

V.K.Bodhare for the petitioner.

P.G.Sawant, AGP for the State.

P.B.Shah i/b. K.P.Shah for the applicants (in CAW-866/13)

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

DATED : 16th November 2015.

PC.

The grievance of the petitioner is that the water connection to his premises has been disconnected in the year 2011. Number of representations were made to the Block Development Officer, but no action has been taken. It is submitted by learned counsel for the petitioner that if there are any dues towards water charges the same would be paid by the petitioner to the concerned authority.

2. Mr.Vasant Ramchandra Deshpande and others have filed Civil Application No.866/2013. Learned counsel appearing for the applicants

submits that the applicants have filed civil suit against the present petitioner. The civil proceedings are pending. The civil suit relates to the immovable property in which the petitioner- Mohan Ghatpande resides.

3. Learned counsel appearing for the petitioner submits that the applicants in civil application are the purchasers of share of property from the uncle of the petitioner. The issue is *subjudiced* before the civil Court, but that does not mean that the authority should disconnect the water tab connection of the petitioner.

4. Without entering into the merits of the civil dispute pending before the Civil Court, we observe that the concerned authority shall look into the issue of water tab connection provided to the subject premises on payment of pending dues by the petitioner. We direct the Block Development Officer to take appropriate decision within four weeks from the date of receipt of copy of this order. The said decision taken by the Block Development Officer shall not, in any way, affect the civil rights of the parties. All issues before the Civil Court are kept open.

5. With the aforesaid observation and direction, petition is disposed of. In view of disposal of petition, civil application is also disposed of.

6. Learned A.G.P. to communicate the order to the concerned authority.

(S.B. SHUKRE, J.)

(NARESH H. PATIL, J.)