

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10457 OF 2012

Sunder A. Mangtani ..Petitioner
V/s.
The Sarpanch, Office of Grampanchayat, ..Respondents
Neral & Ors.

Mr. Girish Paryani, for the Petitioner.
Mr. Manoj Kadam for Respondent no. 1 & 2.

**CORAM : ABHAY S. OKA &
C.V. BHADANG, JJ.**

DATE : 06TH MAY 2015.

P.C.

1. Heard the learned counsel appearing for the petitioner.

2. The order dated 11th March 2015 of this Court reads thus.

“The learned counsel appearing for the Petitioner is not disputing that the buildings constructed by the Petitioner are situated within the jurisdiction of Mamdapur Grampanchayat. The relief sought in this Petition under Article 226 of the Constitution of India is

against the Neral Village Panchyat. The Petitioner will have to satisfy the Court that though the property of the Petitioner is not situated within the limits of Neral Grampanchyat, the said Grampanchyat is under an obligation to supply water to the Petitioner.

The learned counsel appearing for the Petitioner seeks time to satisfy the Court on this aspect. Place the Petition high upon board on 30th March, 2015.”

3. On 30th March 2015 one months' time was granted to the petitioner to comply with the order dated 11th March 2015 with a rider that no further time shall be granted.

4. As recorded in order dated 11th March 2015, the buildings of the petitioner are not situated within the limits of the Village Panchyat of Neral and the same are situated within the limits of Mamdapur Village Panchyat, which is the 7th respondent. Even as on today, the petitioner has not placed any material on record to show that the Village Panchyat, Neral is under a legal obligation to supply water to the buildings of the petitioner within the Village Mandapur. A Writ of

mandamus is sought against the Village Panchayat, Neral directing the Village Panchyat to supply water to the buildings of the petitioners.

5. In view of non-compliance of the order dated 11th March 2015, the petitioner is not entitled to any relief as sought in the petition. Therefore, the Writ Petition is rejected. However, it will be open for the petitioner to proceed against the 7th respondent in accordance with the law.

[C.V. BHADANG, J.]

[ABHAY S. OKA, J.]