

"3. With reference to para No. 2 of the petition, I say and submit that, one water tank is situated at village Kawada, Tq. Jintur Dist. Parbhani. In the said water tank short quantity of

water is at present and the replying respondents protected the said water through concerned machinery for the purpose of drinking water for villagers and animals. The petitioner filed false Writ Petition.

4. With reference to para No. 3 of the petition, I say and submit that, the petitioner submitted the representation/application dated 15.07.2015 as well as sectional engineer, Upsa Jalsinchan Branch Yeldari Vasahat Tq Jintur gives an application/letter also copy to Tahsildar Jintur. Replying respondent directed to Dy. Engineer Mahavitran Jintur, SDO minor irrigation sub division - 02 Jintur and circle officer Bamni to take initiative action immediately and submit the report.

5. With reference to para No. 4 of the petition, I say and submit that, as per the said direction concerned authorities have taken action and stop the illegal lifting of water from the water tank of Kawada. At that time panchanama was prepared. The panchanama copy of the procedure dated 21.10.2015 is enclosed herewith and marked as EXHIBIT - A.

6. With reference to para No. 5 of the petition, I say and submit that, the replying Respondent No. 5 considering the Scarcity of water in District, he issued Order Dated 15.10.2015 to protect drinking water and taking action against the illegally water lifting from the said tank. The copy of said Order enclosed herewith and marked as **EXHIBIT - B.**

7. With reference to para No. 6 of the petition, I say and submit that, the petitioners filed one Representation/complaint dated 16.11.2015 in the office of Replying Respondent No.. Considering the said representation the replying Respondent No. 5 directed to concurrent authority to take action. As per the said representation the replying respondent No. 5 considering the short rain fall int he District and scarcity of water, he issued order Dated 30.01.2016 for reserve for the protecting Drinking water for peoples and animals int he district. The order enclosed herewith and marked as EXHIBIT - C.

8. With reference to para No. 7 of the petition, I say and submit that, in the present situation the water tank is having 14% water available at Kawada. Here is the letter given by branch officer Upasa Jalsinchan Shakha Yeldari wasahat, Tq. Jintur regarding situation of water. The letter is enclosed herewith and marked as EXHIBIT - D.

9. With reference to para No. 8 of the petition, I say and submit that, on 23.04.2016 Respondent no. 6 along with Respondent no. 7 visit to Kawda water tank and see current situation and take photographs. The photographs are enclosed herewith and marked as EHXIBIT - E."

3. The contents of the said affidavit as reproduced supra would show that the respondents have taken adequate steps for preserving the said water for drinking purpose. The respondents

shall continue said steps considering scarcity of water and shall take action against erring persons as and when the same is noticed. The writ petition is disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 16