

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

WRIT PETITION NO.1378 OF 2016

Rambhau Yeduba Bhadange ... PETITIONER

VERSUS

The State of Maharashtra
and others ... RESPONDENTS

.....
Shri G.B. Kulkarni, Advocate for petitioner
Shri V.M. Kagne, A.G.P. for State
Shri B.R. Survase, Advocate for respondent No.6
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CORAM: R.M. BORDE AND
 A.I.S. CHEEMA, JJ.

DATED: 23rd February, 2016.

ORAL ORDER :

1. The petitioner is praying for issuance of directions to the respondents to release the water from Upper Dudhana Medium Project, Tq. Badnapur for irrigation purpose as per the Regional Committee's decision dated 3.11.2015. The learned counsel appearing for respondent No.3, on instructions informs that, the availability of the water in the concerned Dam is to the extent of 49.57%. The Committee consisting of the Collector as well as the Divisional Commissioner has taken a decision to

provide for one rotation to facilitate sustenance of Rabbi crops and accordingly, the water is stated to have been released between 11th to 17th January 2016.

2. Since the respondents have acted in the interest of farmers and of released water from the Dam, the grievance raised by the petitioner in the instant petition does not survive. If at all the petitioner has any grievance in respect of non receipt of water for sustenance of crops in his field on account of any other reason, such as occurrences of breaches in the canal or illegal lifting of water by the agriculturists having lands at an upstream location or any such reason, it will be open for the petitioner to raise grievance with the concerned authority and if such grievance is raised, it would be appropriate on the part of concerned authority to look into it and take appropriate measures.

3. In view of the above, Writ Petition stands disposed of.

(A.I.S. CHEEMA, J.)

(R.M. BORDE, J.)