

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.2060 OF 2008

01 Amitsingh s/o Ranjeetsingh Mohane,
age: 28 years, Occ: Advocate,
R/o Aakashganga, House No.14,
Sambhaji Nagar, Jalna.

02 Vijay s/o Ranchoddas Vaishnav,
age: 37 years, Occ: Social worker/
Pujari, R/o Kadrabad, Jalna.

03 Abhaykumar s/o Baliram Yadav,
age: 45 years, Occ: Social Worker/
Reporter, R/o Rehmanganj, Jalna.

Petitioners

Versus

01 The State of Maharashtra,
through the Secretary,
Urban Development Department,
Mantralaya, Mumbai-32.

02 The Municipal Council, Jalna,
through its Chief Executive Officer.

03 The Collector, District Jalna.

04 The Executive Engineer,
Maharashtra Jeevan Pradhikaran,
Jalna, Survey No.488,
Opp. Police Head Quarter, Jalna.

05 The Union of India,
through the Secretary,
Urban Development Department,
Nirman Bhavan, New Delhi.

Respondents

Mr.Pradeep Deshmukh, advocate holding for Mr.H.A.Joshi and
Ms.Pratibha H. Suryawanshi, advocate for petitioners.
Mr.A.R.Kale, A.G.P. for Respondents No.1 & 3.
Mr.G.K.Naik Thigle, advocate for Respondent No.2.
Mr.D.P.Bakshi, advocate for Respondent No.4.
Mr.S.B.Deshpande, Assistant Solicitor General for Respondent No.5.

**CORAM : R.M.BORDE &
SMT. VIBHA KANKANWADI, JJ.
DATE : 10th November, 2017**

ORAL JUDGMENT (Per R.M.Borde, J.):

1 In the instant petition, issue relating to public importance i.e. distribution of supply of potable water to the residents of Jalna city, is a matter of consideration. Petitioners are praying for issuance of directions to Respondent No.2 - Jalna Municipal Council for making arrangement to supply potable water to residents of Jalna city regularly at least to the extent of 160 liters per day.

2 It is a matter of recent past that there was acute scarcity of water in Jalna city and residents were supplied water once in a month by the Jalna Municipal Council. It is informed that after laying down new pipe line for water supply from Jayakwadi Project, the situation has improved and at present the Municipal Council is regularly supplying water twice in a week. In fact, Respondent No.2 shall have to ensure regular supply of water at least once a day and necessary steps are required to be undertaken in that direction.

3 Learned Counsel appearing for the petitioners informs that even after completion of water supply pipe line connecting Jayakwadi to Jalna, on account of old and worn out water distribution system, the residents are not supplied with potable water in uniform measure and regularly.

4 It is not a matter of dispute that the underground water distribution network was laid in Jalna city way back in 1936 and as such the same was required to be repaired time and again to keep the same functional. The old network, which is more than 75 years old, is required to be replaced and according to the learned Counsel for Respondent-Municipal Council, steps have been taken for removal of

deficiencies and for setting up of proper network for local distribution of water. It is informed that a project is undertaken for enhancing and refurbishing water distribution system at an estimated cost of more than Rs.120 crores. It is also informed that tender work has been allotted in the month of June 2016 and the Contractor appointed by the Municipal Council has already commenced the tender work. It is further informed that 40% of the tender work is almost complete within the time stipulated under the agreement and remaining work would be completed. It is further informed by the learned Counsel for the Respondent-Municipal Council that after completion of work undertaken by the Municipal Council, there would be no technical difficulty in regular supply of water every day.

5 In view of the assurance given by the Counsel appearing for Respondent No.2 and since we are satisfied that adequate steps have been taken for ensuring regular supply of water to the residents of Jalna, the purpose of the instant writ petition, is met. In the event of occurrence of any fresh cause or noticing any deficiency, it would be open for the petitioners or any other aggrieved party to take appropriate steps as permissible in law for redressal of their grievance.

6 In view of the aforesaid directions, instant writ petition is allowed to the extent as above.

Rule is made absolute in aforesaid terms. No costs.

Pending Civil Applications, if any, do not survive and stand disposed of.

SMT.VIBHA KANKANWADI
JUDGE

R.M.BORDE
JUDGE

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