

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

1 WRIT PETITION NO. 6282 OF 2010

BHAUSAHEB SITARAM SAYAMBAR AND ANR
VERSUS
THE STATE OF MAH AND ORS

...
Advocate for Petitioners : Mr. M.V. Salunke h/f. Salunke V.D.
AGP for Respondents: Mr. S.G. Karlekar
Advocate for Respondents : Mr. Gulab Rajale for R/3. & 4
...

**CORAM : S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.**
DATE : 31.07.2017

P.C. :-

. After our earlier order dated 21.07.2017, the Chief Engineer has filed an affidavit, which is at page 50 of the paper book. He is the Chief Engineer (Special Projects) Water Resources Department, Pune. In para 3 of this affidavit, he has stated as under:

“3. I say and submit that, the necessary steps will be taken to complete the remaining balance work of 3 Kms. portion of the Left Bank Canal & minors/Charis from Km.11 to 13 of the said Canal of the Ashti Chobha Nimgaon Project through the concerned Executive Engineer, Osmanabad Medium Project Division, Osmanabad by June, 2018.”

2. These statements made on affidavit are accepted as an undertaking given to this Court. We direct that, if the work is not

completed within the stipulated period, this Chief Engineer who is a deponent of this affidavit and all others reporting to him would be held guilty of non-compliance with the orders passed by this Court and, then, would have to face all consequences. In the event, there is a deliberate or willful defiance of the orders of this Court, based on this undertaking, in addition to the action under Contempt of Courts Act, 1971, this Court would also recommend that the deliberate and intentional non-compliance be treated as a misconduct and be punished under the service rules.

3. We hope and trust that this action will not be invited by this Chief Engineer.

4. The writ petition is disposed of.

[MANGESH S. PATIL, J.]

[S.C. DHARMADHIKARI, J.]