

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

924 PUBLIC INTEREST LITIGATION NO. 92 OF 2015

VITTHAL SHRIPATRAO SONWANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Jadhavar Santosh S.
GP for Respondents: Mr. A.B. Girase
Advocate for Respondents : Mr. K.K. Kulkarni for R/3.
...

**CORAM : S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.**
DATE : 12.07.2017.

P.C. :-

. We have heard both sides and after the earlier order there is now an affidavit placed on record. That affidavit indicates with sufficient clarity that preparatory steps have been taken including removal of encroachments for making the road. It is now stated that every single aspect namely project report, estimates, technical sanctions by competent authority, administrative approvals, have been obtained. The Municipal Council will now take further steps of issuance of a tender and allotment of work / issuance of work order in accordance with law.

2. While it is true that the road was proposed more than five years back and could not be constructed on account of varied reasons

but we do not presume that nobody was working so as to lay Tuljapur-Naldurg road including service road. There are difficulties and practical problems which one can never foresee, when the project is conceived. That may not be an ideal solution and situation for funds which are sanctioned for development works some times have been utilized for meeting more pressing needs. Hence, we accept the statements made on oath as undertakings given to this Court.

3. We direct the Municipal Council to issue the necessary tender notice within a period of two months from today. Let the work order be issued as expeditiously as possible thereafter. The Public Interest Litigation is disposed of.

[MANGESH S. PATIL, J.]

[S.C. DHARMADHIKARI, J.]