

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Public Interest Litigation No. 70 of 2015

(Najam Ali Khan s/o. Nasim Ali Khan .. Vs.. Satte of Maharashtra and Ors.)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Shri. R.D.Karode, Advocate for petitioner.
AGP for respondent nos. 1 to 3 & 5.
Shri. Kakani, Advocate for respondent no.6.

**CORAM : B.P. DHARMADHIKARI &
R.B.DEO, JJ.**

DATE : 21.6.2017.

Heard Shri Karole for petitioner,
learned AGP for respondent nos. 1 to 3 and 5
and Advocate Shri Kakani for respondent no.
6. Nobody appears for respondent no.4.

A water supply scheme prepared for
supply of drinking water to residents of Barshi
Takli forms subject matter of present PIL.
According to petitioners scheme needs to be
implemented immediately through respondent
no.6.

Advocate Shri Kakani informs that
work under scheme is not allotted to any
agency as yet and respondent no. 6 is not
concerned with it.

Learned AGP points out that Gram
Panchayat area has also been converted into
Municipal Council and as area has increased, a
more comprehensive scheme is being

prepared and is under consideration of Urban Development Department. According to her, due passage of time, the development scheme restricted only to area of Barshi Takli Gram Panchayat has lapsed.

Advocate Shri Karode points out that conversion of Gram Panchayat area into Municipal area and notification issued for that purpose has been questioned before this Court in three writ petitions i.e. writ petition no. 1996 of 2016, 4758 of 2015 and 5137 of 2015. Those petitions are still pending. He therefore, submits that present challenge needs to be considered alongwith those petitions.

Whether conversion from Gram Panchayat into Municipal Council area succeeds or not, the preparation of more comprehensive scheme covering larger area is under consideration of competent department of State Government. More comprehensive scheme will be in interest of petitioners also as their burden will be proportionately reduced and it will serve more area / residents. We therefore, find that adjudication either way in pending writ petitions can not be a bar to preparation and implementation of a more comprehensive water supply scheme by State Government.

However, that work needs to be expedited. We therefore, direct respondent

no. 1 to complete the processing of proposal and preparation of scheme within three months from today. If necessary, petitioner and other residents shall be taken into confidence at the time of finalization thereof. After the the scheme is finalized, effort shall be made to secure its implementation within next one year in time bound manner.

With these directions, we dispose of PIL.

JUDGE JUDGE