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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.68 OF 2004**

Shri. Ramesh Dhondiram Devghare and Ors. ... Petitioners
Vs.
State of Maharashtra and Ors. ... Respondents

None for the Petitioners.

Mr. V.P. Malvankar, AGP 'A' Panel for the Respondent No.1.

**CORAM : A.S. OKA &
P.N. DESHMUKH, JJ.**

DATE : 18th JANUARY, 2018

PC.

1 Called out for final hearing. None appears for the petitioners and the fourth respondent. The learned AGP represents the first respondent.

2 Perused the prayers in this PIL. Prayer clause (a) is the only substantive prayer which reads thus :-

“A] That this Honourable Court be pleased to issue a writ mandamus or writ in the nature of mandamus or any other appropriate writ direction or order under Article 226 of the Constitution of India, 1950, directing the Respondent Monitoring Committee as well as Respondent No.1 State, to prohibit extraction of the ground water, from the well in Survey No.32/1, Village

Khingar, Taluka – Mahabaleshwar, District – Satara by the Respondent No.4 completely and/ or on such terms and conditions, as the Honourable Court may deem fit.”

3 On 15th April, 2004 this Petition was admitted for final hearing. Interim relief was granted in clause 4 of the said order dated 15th April, 2004 which reads thus :-

“4. The learned counsel for respondent No.4 stated at the Bar that respondent No.4 shall not draw water “except” for the bona fide agricultural and domestic consumption of respondent No.4, unless such permission is granted by the Competent Authority. Since an application has already been made by respondent No.4, let the said application be decided as expeditiously as possible, preferably within a period of six weeks from today.”

4 Considering prayer clause (a), the Petition will have to be disposed of in terms of the directions contained in paragraph 4 of the order dated 15th April, 2004 as a statement has been made by the fourth respondent that he shall not draw water except for bonafide agriculture and domestic consumption of himself, unless such permission is specifically granted by the Competent Authority.

5 Order accordingly. Rule is disposed of on above terms.

(PN. DESHMUKH, J)

(A.S. OKA, J)