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

WRIT PETITION NO. 996 OF 2019

Kashinath Eknath Dhas,
Age: 52 years, Occ: Agri.,
R/o. At Post Susare,
Tq. Pathardi, Dist. Ahmednagar.

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Department of Irrigation.
2. The Chief Engineer,
Mula Irrigation Division,
Ahmednagar, Dist. Ahmednagar.
3. Branch Officer,
Mula Irrigation Sub division,
Amrapur Branch, Tal. Shevgaon,
Dist. Ahmednagar.
4. Chairman/Secretary,
Shriraj Water Use Society,
Bhausahab Bajirao Udage,
Age: 62 years, Occ: Agri.,
R/o. At Post Susare, Tal. Pathardi,
Dist. Ahmednagar.

..RESPONDENTS

Mr Prashant R. Nangare, Advocate for petitioner;
Mr V. S. Badakh, A.G.P. for respondent/State

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 30th JANUARY, 2019

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ORAL ORDER:

Heard the learned Counsel appearing for the petitioner.

2. In the present petition, the petitioner makes two fold prayers; prayer clause (B) and Prayer clause (C).

Prayer Clause (B) :- By issuing writ of mandamus or any other appropriate writ, order or direction in the like nature, to direct the respondents, more particularly, respondent No.2 and 3 to take action against the respondent no. 4 such as cancellation of registration of Society for not complying their Directions / orders issued vide letters dated 16/1/2018, 10/4/2018 and 11/6/2018.

3. In as far as prayer clause (B) is concerned, nothing is placed on record to show that the petitioner has approached the competent authority for seeking the cancellation of the registration of the society - respondent no.4. As such, we are not inclined to entertain the petition insofar as the prayer clause (B) is concerned.

4. We are dealing with only prayer clause (C). The representation is submitted by the petitioner to respondent no.2 - The Chief Engineer, Mula Irrigation Division, Ahmednagar. Perusal of the representation shows that the grievance of the petitioner is of not taking

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proper care by respondent No.4 - Society for circulation of water or channelising water effectively and it is stated in the representation that the unchannelised distribution of water by respondent No. 4 - Society causes damage to the agricultural field of the petitioner. It seems that the lagging of watering the field is leading to leaving the agricultural land unutilised for any purposes.

5. The representation is submitted to respondent No.2 on 25th September, 2018 and is received by the office of respondent No.2 on 27th September, 2019 is pending consideration till filling of the petition, is the grievance of the petitioner.

6. Considering this aspect of the matter, we are of the opinion that the petition can be disposed at admission stage by issuing directions to respondent No.2 to decide the representation dated 25th September, 2018, as expeditiously as possible, and not later than six weeks from the order of this Court, if it is not decided, needless to state on merits of the representation and considering the record available with respondent No.2.

7. With above directions, the petition is disposed of.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

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