

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

PUBLIC INTEREST LITIGATION NO.26 OF 2015

Ramkrishna Bhagwan Bagul

PETITIONER

VERSUS

The State of Maharashtra
and others

RESPONDENTS

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Mr. M.G. Kochar, Advocate holding for Mr. B.R. Waramaa, Advocate
for the petitioner

Mr. M.M. Nerlikar, A.G.P. for respondent Nos.1 and 2

Mr. Girish S. Rane, Advocate for respondent Nos.3 and 5

Mr. Girish V. Wani, Advocate for respondent No.4

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**CORAM: PRADEEP NANDRAJOG, CJ &
R.G. AVACHAT, J.**

DATE: 24.09.2019

PER COURT :

- 1] The request made for hearing to be deferred is denied.
- 2] Heard learned counsel for the parties.

3] We have perused the pleadings in the Public Interest Litigation. The petitioner claims to be a resident of Shrikrishna Colony at Plot No.212/8. As per the petitioner, there are 24 plots in the colony. It is pleaded that the colony is in the area of Municipal Council, Amalner. It is pleaded that in the year 2005, the Council sanctioned drainage and road to be laid in the colony. The grievance is to the contractor being paid the money to construct the drainage along the road inspite of the fact the work being shoddy and not complete.

4] In the counter affidavit filed, it is pleaded that the petitioner has no locus standi to make any grievance for the reasons it was his father who owned the land and carved out the colony. While so doing, his father did not lay the roads or the drainage. On merits, it is denied that the contractor executed a shoddy work. Reliance is placed upon a writing obtained from the inhabitants of the area that the contractor has done a good job.

5] In the rejoinder filed, it is stated that the petitioner's father has colonized the land and had not laid the drainage. For this, it is pleaded that

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no condition was ever imposed for laying a drainage.

6] In view of the facts noted hereinabove, we terminate the proceedings in the Public Interest Litigation and dismiss the same.

7] No costs.

(R.G. AVACHAT, J.)

CHIEF JUSTICE

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