

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2850 OF 2017**

Shrirang Dnyanoba Dhobade	.. Petitioner
Versus	
The Union of India and ors	.. Respondents

**WITH
CIVIL APPLICATION NO. 1055 OF 2017
IN
WRIT PETITION NO.10915 OF 2011**

Ms.Mangala Ghule	.. Applicant
Vs.	
Shrirang D. Dhobade	.. Respondent

**WITH
WRIT PETITION NO. 10915 OF 2011**

Shrirang Dnyanoba Dhobade	.. Petitioner
Versus	
The Union of India and ors	.. Respondents

...

Mr. Sanjay Gunjkar for the petitioners.
 Mr.K.S. Thorat, AGP for respondent nos.4 and 5.
 Mr.G.H. Keluskar for respondent no.3.
 Mr.R.V. Govilkar with Mr.Parag Vyas for respondent nos.1 and 2 in WP 2850/2017.
 Mrs. S.V. Bharucha with Mr.Parag Vyas for respondent no.6 in WP 10915/11.
 Mr.Sandip Patade I/b Mr.K.P. Shah for the applicant in CAW 1055/17.

**CORAM: PRADEEP NANDRAJOG, C.J.
AND BHARATI DANGRE, J.**

DATED : 18th DECEMBER, 2019

P.C:-

1 It is time to close proceedings in the instant Writ Petition which not only espouses the personal interest of the petitioner but also the residents of village Bopkhel, Pune. The residential and agricultural land in said village is adjoining land belonging to the Union of India and has been entrusted to the Ministry of Defence. On the said land of Union of India, a college has been established. There exists river 'Mula' which runs through the city of Pune. A temporary bridge constructed by College of Military Engineering was used by the residents of village Bopkhel.

2 With passage of time, as the residents of the village grew in number and population exploded, traffic increased requiring a larger bridge to be constructed.

3 The temporary bridge has since been dis-abandoned. The prayer made in the Writ Petition is that a new bridge be constructed so that the villagers can have access to the village.

4 During the pendency of the Writ Petition, a decision has been taken by the Ministry of Defence that a part of land where the Military Engineering College has been constructed as would be necessary to erect a permanent bridge, would be made available to the Pune Chinchwad Municipal Corporation and an equal value land shall be identified and made available by the Collector, Pune to the Ministry of Defence.

5 Identification of equal value land currently awaits a decision but the same would be no reason to impede the construction of the bridge for the reason the site where the permanent bridge cross river Mula has to be erected has been identified. The learned counsel for Pune Chinchwad Municipal Corporation informs that a notice inviting tender was published inviting offers from eligible contractors. Bids were received and evaluated. Work orders has been issued to the successful tenderer on 20th July 2019. As per the tenders conditions and work order, the construction of the bridge has to be completed by 20th July 2021.

5 Necessary funds have been earmarked for the erection of the bridge.

6 This is our reason to terminate proceedings in the Writ Petition for the reason the relief which the petitioner had desired during the pendency of the Writ Petition has ensued.

7 It is expected that the Ministry of Defence shall resolve the issue of identification of the equal value land which has to be placed at their disposal by the Collector, Pune. However, we declare that non-resolution of the said issue would not be used by the first respondent to resume possession of such land which has been identified for the purposes of erecting the new bridge.

SMT. BHARATI DANGRE, J

CHIEF JUSTICE