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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****PUBLIC INTEREST LITIGATION NO. 50 OF 2017**

Nagrik Chetna Manch and another

.....Petitioners

V/s.

The Commissioner, Pune Municipal CorporationRespondents
and others

Ms. Ronita Bhattacharya i/b Mr. Zaman Ali for the petitioners

Mr. A. P. Kulkarni for respondent No. 1

Mr. M. M. Pabale AGP for respondent Nos. 2 & 3.

**CORAM : PRADEEP NANDRAJOG, CJ. &
N. M. JAMDAR, J.****DATE : APRIL 25, 2019.****P.C.**

Inspite of the fact that first respondent was served somewhere in the month of September 2017 and counsel for the State having appeared on 16/06/2017, we find no reply being filed to the petition.

2 The petition seeks enforcement of Section 29A of the Maharashtra Municipal Corporation Act, 1949 as amended from time to time. The Section requires every city having a Municipal Corporation to constitute Wards Committees comprising such contiguous electoral wards as may be decided by the Corporation. Sub-section 2 of Section 29A deals with the composition of the Wards Committees and stipulates that each councillor representing electoral wards within territorial area of the Wards Committee would be a member of the Committee. It further stipulates that officer in-charge of the territorial area of the Wards Committee would also be a member of the Committee. Para (c) of Sub-section 2 mandates that the councillors referred to in clause (a) shall nominate such number of other members not exceeding three from amongst members of the recognized Non-Government Organisations and Community based Organisations engaged in social welfare activities within the area of the Wards Committee. The two provisos to para (c) require that such nominated persons have to be registered as electors in the wards and the norms for recognition of Non-Governmental Organisations and the requisite qualification for nomination as a member shall be

as prescribed by the State Government. The State Government has prescribed requisite norms as per Exhibit 'A' to the petition.

3 Since mandate of law has not been complied with by the first respondent, we dispose of the petition issuing a Mandamus that in each ward comprising the territory of Municipal Corporation of Pune, the constitution of Wards Committee should ensure compliance with para (c) of Sub-section 2 of Section 29A of the said Act. The councillors representing electoral wards within the territorial area of Wards Committee shall nominate the members as per para (c) of Sub-section 2 of Section 29A of the said Act within period of 2 months from today.

N. M. JAMDAR, J.

CHIEF JUSTICE