

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION NO. 62/2016.

Diwakar Nanaji Game and another.

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.R. Patil, Advocate for Petitioners.
Shri S.M.Ukey, Addl.G.P. for Respondent Nos.1, 3 to 6.
Shri S. Manohar, Senior Advocate with Shri A.A. Naik,
Advocate for Respondent No.7.
Shri V.G. Palshikar, Advocate for Respondent No.2.

CORAM : R.K. DESHPANDE &
VINAY JOSHI, JJ.

DATE : JANUARY 10, 2019.

Heard.

2. The learned Counsel appearing for V.I.D.C.
and State of Maharashtra, make statement that first
priority is for supply of drinking water. In case of any
scarcity of water, the supply would not be made
available to respondent no.7 Company.

3. In paragraph no.24 of the reply filed by
respondent no.7, it is stated as under :

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“24. It is submitted that the site from where, the answering respondent is permitted to draw water is located at a lower level than Hinganghat. It is submitted that the direction of the flow of the river thus first provides water to Hinganghat. It is submitted that it is thereafter that the water, if available can be drawn by the answering respondent. It is submitted that Hinganghat is located upstream and as such the utilization of water by the answering respondent who is located downstream would have no effect on the water availability of Hinganghat.”

4. In view of the aforesaid assurances by respondent regarding drinking water from the source in question, we do not find any reason to go into the matter further. The grievances of petitioner stand satisfied.

5. The assurance given to this Court shall

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always remain binding on the respondent. All the parties have agreed to the aforesaid arrangement. Public Interest Litigation is, disposed of accordingly. No costs.

JUDGE

JUDGE

Rgd.