

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5653 OF 2019

Nilesh Rajaram Chavan	}	Petitioner
versus		
State of Maharashtra	}	
and Anr.	}	Respondents

Ms.S.M.Gorwadkar-Senior Advocate with Mr.Niranjan Mogre for the petitioner.

Mr.B.V.Samant-AGP for State.

CORAM :- S. C. DHARMADHIKARI &
R. I. CHAGLA, JJ.

DATED :- JANUARY 7, 2020

P.C. :-

1. The complaint of the petitioners is that the policy or the scheme, namely, *Mukhya Mantri Gram Sadak Yojna* (Chief Minister's Rural Road Scheme), insofar as the construction of the road from Kadwad to Kondivali Tivade Gaothan will be implemented in a manner leaving out one of the either villages from accessibility. In other words, that village would be inaccessible if the construction is undertaken in the manner complained by the petitioners.

2. An affidavit in reply also has been filed in this petition long back and affirmed by the Executive Engineer of the *Pradhan*

Mantri Gram Sadak Yojna (Prime Minister's Rural Road Scheme).

After this affidavit was filed, but the complaint was not redressed, it appears that on 27th August, 2019, the Rural Development Department of the Government of Maharashtra issued the subject Government Resolution. That is dated 27th August, 2019. Now, the distance would be computed in terms of the details set out in this Government Resolution. Therefore, the complaint of the petitioners is no longer surviving. Based on this Government Resolution and the decision incorporated therein, the road would be constructed, developed and laid. The administrative and budgetary approval is also issued.

3. In these circumstances and going by the communication, copy of which is placed on record together with the Government Resolution, this writ petition can be disposed of. The statements made in this Government Resolution and the communication dated 7th November, 2019 are accepted as undertakings given to this court.

4. In the presence of the Executive Engineer, we dispose of this writ petition with a direction that the construction of the road be completed by the end of February, 2020. A compliance report be filed by 5th March, 2020.

5. The petition is placed under caption “For Compliance” on 6th March, 2020.

(R.I.CHAGLA, J.)

(S.C.DHARMADHIKARI, J.)