

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
PUBLIC INTEREST LITIGATION NO.58 OF 2020

SHAIKH AFSAR NAWABODDIN

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Sayyed Tauseef Yaseen, Advocate for the
Petitioner.

Mr. S. G. Karlekar, AGP for Respondents-State.

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CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.

DATED : 15th NOVEMBER, 2021.

PER COURT:-

1. We have heard Mr. Sayyed, learned counsel for the petitioner and learned A.G.P. for respondents.

2. It is submitted that, works in question have already been completed. The basic grievance of the petitioner was about the duplication of the work and that construction of road cannot be undertaken under the Vaishishthyapurna Scheme.

3. As the works are already completed and the same would be in the interest of public at large, we are not going into the said aspect of the matter.

4. However, some instances shown may result in the duplication of work that is construction of a drain (Nali) at various places. The Government and Planning Authority shall observe and

scrupulously avoid duplication of work. For the same work twice the administrative sanction and funds may not be allocated. The said cause shall be taken by the Government and in the present case also if a work has already been done, the same work may not be required to be done under other schemes. The Government shall verify the said aspect before sanctioning funds.

5. With these observations Public Interest Litigation is disposed of. No costs.

6. Mr. Sayyed, the learned counsel submits that, the petitioner has deposited an amount of Rs.1,00,000/- pursuant to the orders of this Court .

7. The learned counsel on instructions submits that out of an amount of Rs.1,00,000/- the petitioner wants to donate Rs.25,000/- to the Government Covid Centre.

8. The Registry shall remit the amount of Rs.25,000/- to the Government Covid Centre at Government Medical College and Hospital Aurangabad and remaining amount of Rs.75,000/- is allowed to be withdrawn by the petitioner.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE