

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

974 WRIT PETITION NO.11490 OF 2019

VIJAYSINH S/O HIRALAL GHOGARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. P. S. Chavan.

AGP for Respondent/State: Mr. K. N. Lokhande.

Advocate for Respondent No.4 : Mr. Sanjay A. Wakure.

Advocate for Respondent No.6 : Ms. Satyavati K. Doke (Renge).

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

DATE : 06th October, 2021.

PER COURT:

. We are entertaining the petition since two years. Mr.Chavan, learned counsel for petitioner submits that the work of the road is not yet completed. Encroachment appears on the road. Wrong information is provided by the respondents authorities to the Court. According to the learned counsel, the respondents are not serious in completing the road. In absence of the road, inconvenience is caused to the villagers.

2 Under the order dated 4th August, 2021, we had observed that the work order appears to be issued on 20th June, 2019 by the Panchayat Samiti, Osmanabad. We had observed that it is high time the authorities take the matter seriously and we had directed

respondent No.2 Collector to look into the matter and issue appropriate directions. On 1st September, 2021, the learned AGP made a statement, on instructions of the Deputy Collector, that the work in question has commenced. The Deputy Superintendent of Land Record has given markings of the road and with the help of JCB machine the work has commenced. The *Panchanama* was drawn. On 27th August, 2021 80% work was over and a statement was made that the remaining work would be completed by 29th August, 2021, but due to heavy rains the work was not completed. We adjourned the matter for today.

3 The learned counsel appearing for the Panchayat Samiti submits that because of the heavy rains and water logging, the entire work could not be completed. The work only to the extent of 300 meters is left.

4 It is the work of the authorities. The Court would not on every date monitor the progress of the work. The authorities are duty bound to complete the work when the work is already allotted and open the road for the public.

5 We accept the statement that only 300 meters work is remaining and that the same would be completed immediately after water recedes.

6 We expect the authorities and the Gram Panchayat to perform their duties diligently and upon receding of the water, the work of remaining 300 meters shall be completed on priority basis and in a manner the villagers and the public at large would be in a position to use the road.

7 In case the Panchayat Samiti does not complete the work as undertaken and the work of road is not completed, then the Collector shall take necessary steps and issue appropriate orders in that regard.

8 With these observations, the writ petition is disposed of.
No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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