

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

P.I.L. No.11 of 2022

Sau. Vijaymala Krishna Asankar
and another

... Petitioners

Versus

State of Maharashtra and others

... Respondents

Mr. P.M. Pande, Advocate for Petitioners.

Mrs. K.S. Joshi, Government Pleader for Respondent Nos.1 and 2.

**CORAM : NITIN JAMDAR AND
ANIL L. PANSARE, JJ.**

DATE : 9 MARCH 2022

P.C.:

Heard the learned Counsel for the Petitioners.

2. This Petition is moved purportedly in public interest by the Petitioners. The Petitioner No.1 is the President of the concerned Municipal Council and the Petitioner No.2 is the Corporator. The Municipal Council is not before us through the Chief Officer.

3. The Petitioners have objected to the Corrigendum issued by the State Government on 27 December 2021, whereby it is stated that the work in the city, more particularly of roads and sewerage, would be undertaken by the Public Works Department and not by

the Municipal Council.

4. So far as the aspect of the public interest is concerned, the public interest would be in the condition of the roads and sewerage and not in which implementing agency should provide these general amenities, as long as amenities are provided to the residents. Both, the Municipal Council and the State Government are Public Authorities committed to provide the public amenities to the citizens. If the roads and sewerage in the city are neglected, that may give rise to a cause in the public interest. However, we do not find any such pleading in the Petition.

5. Now the State Government has taken over the responsibility of providing the amenities of roads and sewerage through the Public Works Department, the Department will ensure that all these amenities should be provided to the citizens / residents of the localities and they are not inconvenienced by the change of the implementing agency.

6. The Public Interest Litigation is accordingly disposed of.

(ANIL L. PANSARE, J.)

(NITIN JAMDAR, J.)