

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

WRIT PETITION NO. 2537 OF 2020

Shri Harikant s/o Wamanrao Malode & Anr. -- Petitioner/s

Vs.

State of Maharashtra & Ors. -- Respondent/s

Ms. Ayushi Dangre h/f Mr. Harish Dangre, Advocate for the Petitioners.

Mr. A.S. Fulzele, A.G.P. for Respondent Nos. 1 and 2/ State.

Mr. D.M. Kakani, Advocate for Respondent No.3.

Mr. M.I. Dhattrak, Advocate for Respondent No.4.

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

DATE : 30 MARCH 2022

P.C. :

This Writ Petition is filed taking exception to technical sanction dated 6 February 2019, administrative sanction dated 19 September 2019 and the resolution passed by Respondent No.4 – Municipal Council on 16 December 2019. The petition pertains to the construction of a bridge across Madar river on Nagar Parishad Road in Narkhed Town in Nagpur District.

2. The Petitioners contend that the new proposal reducing the width of the bridge should not be continued and the old

proposal be retained, and seek to take exception to the resolution passed by the Respondent – Council.

3. The petition is not filed as a Public Interest Litigation after following the Rules framed by this Court. The Petitioners are councillors of the Respondent – Council and they have joined the President of the Municipal Council as a Respondent. It is clear that none of Petitioners' legal rights are affected nor any legal wrong is caused to them to file a Writ Petition. The Petitioners seek to advance their political agenda within the working of the body of the Council. The Petitioners as councillors would be in the meeting in which the impugned resolution was passed by majority.

4. Therefore, at the behest of these Petitioners, we are not inclined to enter into the merits of the controversy. Apart from this position, the learned Counsel for the Municipal Council states that the funds earmarked for the bridge has lapsed and the process will have to be initiated all over again, which assertion is disputed by the Petitioners.

5. The Writ Petition is disposed of.

[ANIL L. PANSARE, J.]

[NITIN JAMDAR, J.]