

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 WRIT PETITION NO.615 OF 2023

RAOSAHEB BABASAHEB SONAWANE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
THE PRINCIPAL SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Chate Vithal M.
AGP for the respondent – State : Mr. A.S. Shinde
Advocate for the respondents nos. 2 to 4 : Mr. P.D. Suryawanshi
...

**CORAM : MANGESH S. PATIL &
S. G. CHAPALGAONKAR, JJ.**

DATE : 15 FEBRUARY 2023

PC :

The petitioner who claims to be a social worker is objecting to implementation of a water supply scheme floated by the Central Government primarily on the ground that it is not feasible and is being implemented unnecessarily at the cost of public exchequer.

2. The learned advocate for the petitioner vehemently submits that the survey has not been undertaken properly. Dis-proportionate increase in population has been erroneously mentioned. Already a water supply scheme is in place. There is no necessity to spend money for having one more. It would be waste of public money and the scheme be cancelled.

3. The learned advocate for the zilla parishad submits that it is a scheme of the Central Government. Necessary detailed survey has been undertaken and after completing the formalities, the scheme is being implemented by floating tenders. Already work order has been issued on 31 January 2023. The petitioner is not coming with any plausible reason for opposing the implementation of the welfare scheme in spite of being a villager.

4. We have carefully considered the rival submissions and perused the papers.

5. Obviously, it is a scheme being implemented across the State by the Central Government, when the documents annexed to the petition clearly demonstrate that detail survey was undertaken, tenders were floated for number of villages within the district.

6. The petitioner is relying upon the resolution passed by the special *gramsabha* on 14-11-2022. It demonstrates that the topic regarding implementation of the scheme was discussed. Though it was noticed that in the new scheme, the provision is being made for erecting a water tank, it was noted that necessary repair of the existing infrastructure was necessary and that work should be included in the present scheme. Conspicuously, there is no reference rather even a whisper regarding the stand being taken by the petitioner about the

scheme being unnecessary, rather some additional work was resolved to be included.

7. Considering the afore-mentioned state-of-affairs, we refuse to exercise the powers under Article 226 of the Constitution of India.

8. Writ petition is dismissed.

[S. G. CHAPALGAONKAR]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/