

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

18 WRIT PETITION NO.6595 OF 2023

BABASAHEB BABANRAO BUDHAWANT
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

Mr.K.D.Pote h/f Mr.A.G.Ambetkar, Advocate for the Petitioner.
Mr.D.R.Kale, Govt.Pleader for the Respondent/State.
Mr.Avishkar Shelke, Advocate for Respondent Nos.7 to 9.

(CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.)

DATE : JULY 3, 2023

PER COURT :

1. The Petitioner had earlier approached this Court in WP No.3226/2022. By order dated 07.03.2022, more particularly, paragraph No.4, we had recorded that -

"4. The capacity may depend upon various aspects. In fact, the petitioner ought to have first approached to the MSEDCL for seeking necessary clarification and depending upon the reply may take further steps."

2. Pursuant thereto, we are informed that Respondent No.8 has addressed the Petitioner vide communication dated 02.05.2022

stating therein that the concerned Electricity Generation Project upto 2 mega watts would be erected.

3. In view of the above, **this petition is disposed off** with the following directions :-

[a] We direct Respondent No.8, which has already shown it's willingness to install a project with the capacity of 2 Megawatt in Gat No.457, to decide the feasibility of the said project within 45 days.

[b] If the project is feasible, let the same be installed by following the due procedure laid down in Law within a period of 180 days.

[c] In the event the project is not feasible, a reasoned decision be communicated to the Petitioner and if the Petitioner is aggrieved, he would be at liberty to avail of a remedy, as is permissible in Law.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)