

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 84 OF 2024

Adv. Sushant Sanjay Patil & Ors. }	Petitioners
versus	
The Union of India & Ors. }	Respondents

Mr. Anand S. Patil for petitioners.

Mr. P. P. Kakade, Government Pleader
with Mr. O. A. Chandurkar, Additional
Government Pleader and Ms. G. R.
Raghuwanshi, AGP for respondents 2, 3
and 5 to 8.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
AMIT BORKAR, J.**

DATE: 15th JULY 2024

P.C.:

1. This PIL petition, though expresses concerns which may be genuine in nature on account of floods annually being caused in districts Kolhapur and Sangli, however, the prayers made in the petition are so omnibus in nature that for the Court it is not possible to adjudicate the issues raised and the prayers made in the petition. The prayer clause of the PIL petition is extracted hereunder: -

"(a) Be issue Rule;

(b) This Hon'ble Court be pleased to call for relevant record and proceedings from the office of Respondents and after going through the legality, validity and propriety of the same, may direct the Respondents to take out certain & workable solution to tackle with the episode of calamity of flood and

water logging in the Sangli and Kolhapur district if the similar situation would have been arose like 2019 & 2021.

(c) This Hon'ble Court be pleased to further direct respondents to take action against the responsible officers, public servants and other responsible persons who failed in their duty to tackle the flood situation & failed in their duty to take all the precautionary measures to deal with the flood situation in accordance with law and punish them accordingly.

(d) This Hon'ble Court be pleased to further direct the Respondents to make proper management of dam water in Krishna River and also its tributaries in Kolhapur, Sangli and other District so that henceforth no such water logging and flood should cause due to administrative lapses and in violation of rules.

(e) This Hon'ble Court be pleased to direct the District Disaster Management Authority formed in each district of Sangli and Kolhapur to act upon in accordance with Disaster Management Act 2005 and execute the disaster management plan strictly in compliance thereto.

(f) This Hon'ble Court be pleased to direct the respondent no. 2 to grant appropriate financial aid and assistance to the flood affected people in Kolhapur and Sangli District to the extent at par with Karnataka Government considering the losses suffered by the People.

(g) This Hon'ble Court be pleased to direct the respondents no. 1, 2, 4 and 5 to consider & implement the suggestions given by the Shirol Taluka Purgrast Anyay Niwaran Sangharsh Samiti by way of precautionary measures to tackle with the issue of massive water logging and flood.

(h) This Hon'ble Court be pleased to direct the respondents no. 1, 2, 4 and 5 to make available NDRF rescue team in the Kolhapur & Sangli District right from the rainy season with all requirements equipments like boats, tents, etc. with them.

(i) This Hon'ble Court be pleased to direct the respondents no. 1, 2, 4 and 5 to rehabilitate the people who have suffered loss in the massive flood situation arose in the year 2019 and 2021 in the Kolhapur and Sangli district."

2. The petitioners are, thus, seeking a direction to the State Government authorities to find out some workable solution to meet the challenges being posed by the calamities of floods and water logging. Thus, the prayers, in our opinion, cannot be appropriately adjudicated and granted by the Courts.

3. Accordingly, we permit the petitioners to take up the issues raised in this petition by making an appropriate and exhaustive representation/application to the Chief Secretary of the State Government, who shall look into the same and take appropriate decision to minimize the ill-effects of floods and water logging in the districts aforesaid.

4. With the aforesaid observations, the PIL petition is disposed of.

Digitally signed
by JAYANT
VISHWANATH
SALUNKE
Date:
2024.07.15
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(AMIT BORKAR, J.)

(CHIEF JUSTICE)