

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

WRIT PETITION NO.193 OF 2024

- | | |
|-------------------------------|------------------|
| 1. Vitthal Kalu Gaikawad |] |
| 2. Shivaji Kalu Gaikawad |] |
| 3. Kaluram Bhikoba Tilekar |] |
| 4. Vikas Shivaji Devkar |] |
| 5. Chandrakant Shivaji Devkar |] |
| 6. Deleted |] |
| 7. Balasaheb Tanaji Devkar |] |
| 8. Vasant Pandurang Jadhav |] |
| 9. Ganesh Ashok Mane |] |
| 10. Kiran Maruti Borawake |] |
| 11. Narendra Raman Borawake |] .. Petitioners |

Versus

- | | |
|--------------------------------------|------------------|
| 1. The State of Maharashtra, |] |
| Through Irrigation Department. |] |
| 2. Maharashtra Krushna Valley |] |
| Development Corporation, Pune. |] |
| 3. Managing Director, |] |
| Maharashtra Krushna Valley |] |
| Development Corporation, Pune |] |
| 4. Executive Engineer, |] |
| Nira Right Canal, Phaltan |] |
| 5. Assistant Executive Engineer, |] |
| Nira Right Canal, Malshiras, Solapur |] .. Respondents |

Mr. Abhijit Kulkarni, i/by DD & Abhijit Associates, for the Petitioners.
Mr. N.K. Rajpurohit, AGP for Respondent No.1-State.

**CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ**

DATE : 12TH JANUARY, 2024.

ORAL JUDGMENT : { Per A.S. Chandurkar, J. }

1. RULE. Rule made returnable forthwith. Considering the limited relief sought by the petitioners, notice on respondent nos.2 to 5 is dispensed with. Learned AGP waives notice for respondent no.1.

2. The petitioners are the residents of Village Bagewadi, Taluka Malshiras, District Solapur. The said village is stated to be at the tail of Minor Irrigation Tank at Girzani (*Girzani Project*). By relying upon the provisions of Section 12(7) of the Maharashtra Water Resources Regulatory Authority Act, 2005, the petitioners contend that it is necessary for the Authority to ensure that the principle of “tail to head” irrigation is implemented by the concerned agency. Since the same is not being done insofar as Girzani Project is concerned, the petitioners have made a representation in that regard to respondent nos.2 to 5. Though the said representation has been made on 9th March 2020, it is submitted that till date cognizance of the same has not been taken.

3. In aforesaid facts, the writ petition is disposed of by directing respondent nos.2 to 5 to consider the petitioners’ representation dated 9th March 2020 and take a decision thereon within a period of six weeks of receiving copy of this order. The petitioners shall serve copy of this order on respondent nos.2 to 5. The decision taken shall be communicated to the petitioners.

4. With aforesaid directions, Rule is disposed of with no order as to costs.

[JITENDRA JAIN, J.]

[A.S. CHANDURKAR, J.]