

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

Writ Petition No. 13657 of 2024

Harne Pradeshik Nal Pani Puravtha Yojna
& anr.

... Petitioners.

V/s.

The Nirmal Group Gram Panchayat and
others

... Respondents.

Mr. Sumit S.Kothari	Advocate for the Petitioner
Mr. Saurabh M. Railkar	Advocate for Respondent Nos. 1 to 3.
Ms. Tanu N. Bhatia	AGP for Respondent No.4.

CORAM : S.M. MODAK, J

DATE : 14 October 2024.

P.C. :

As directed on the last date, the learned AGP has filed an affidavit from Joint Secretary Water Supply and Sanitation Department. There is a categorical averment in Para No.9 that Harne regional water supply scheme and revised scheme were sanctioned in 1995 and January 2023 respectively. He has also affirmed that two other schemes were sanctioned for Gimhavane and Vanand by Zilla Parishad. Additionally, he has affirmed that there is a G.R. dated 14 March 2024 issued by Water Resources (Jalsampada) department. The contesting defendants are contending about the

execution of the agreement on the basis of this Government Resolution. Learned AGP submitted, she does not have any instructions from Water Resources Department where all private Parties contend Principal Secretary is made as a Party.

2. According to learned Advocate for the contesting Respondents, all the parties were pursuing the matter before both the Courts below and they were also pursuing with the Government.

3. Be that it may, now it is clarified that when the State of Maharashtra through Principal Secretary is made as a party respondent, it is clear that the Water Resources (Jalsampada) department has to take steps to give instructions to learned AGP. Learned AGP may take instructions and if she wants she can file additional affidavit.

4. Once the affidavit will be filed, further directions will be issued. Let that affidavit be served on other side on 19 October 2024.

5. Stand over to **22 October 2024**, First on Board.