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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.378 OF 2024

Rajkumar Chandrasen Chavan ... Petitioner
V/s.
The State of Maharashtra & Ors. ... Respondents

Mr. P.P. Puraji for the petitioner.

Mr. P.P. Kakade, Government Pleader with Mr. O.A.
Chandurkar, Additional G.P. and Mrs. G.R.
Raghuwanshi, Additional G.P. for respondent No.1 –
State.

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

DATED : JULY 24, 2024

P.C.:

1. Heard learned counsel for the petitioner. This contempt petition is filed alleging non-compliance of judgment and order dated 21 August 2019 passed by a Division Bench of this Court in Public Interest Litigation No.23 of 2011, whereby the Secretary in-charge of the Minor and Major Irrigation Department of the State of Maharashtra was directed to treat the public interest litigation petition as a representation and decide whether the percolation/minor irrigation tank needed to be constructed by the Zilla Parishad or by the Minor Irrigation Department of the State.

2. While issuing the said direction, the Court also provided that the Secretary shall be cognizant of the fact that public funds have been utilized and that the same cannot be wasted. The order further states that the Secretary, Department of Irrigation would co-ordinate with the Secretary, Finance, so that budgetary allocation is made, and necessary civil work is executed.
3. If the statement made by the learned counsel for the petitioner is correct, such a situation cannot be appreciated where a simple direction issued by the Court five years ago has yet to be complied with.
4. We, thus, direct that a copy of this contempt petition be served upon the learned Additional Government Pleader, who shall seek instructions from the concerned department.
5. The question of issuing notices to the respondent Nos.2 and 3 shall be considered on the next date.
6. Stand over to **7 August 2024**. To be placed **high on board**.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)