

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

CONTEMPT PETITION NO. 3 OF 2024

IN

PUBLIC INTEREST LITIGATION NO. 36 OF 2019

Anil Raghunath Gachke

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. Siddhesh Pilankar a/w Mr. Dattaram Bile for petitioner.

Smt. Jyoti Chavan, Addl. Government Pleader for
respondent nos.1 to 3-State.

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

DATE: 20th SEPTEMBER, 2024

P.C.:

1. This Contempt Petition has been filed alleging non-compliance of an order passed by the writ Court on 6th December, 2023 in PIL No. 36 of 2019. The operative portion of the said order, which is contained in paragraph 7, is extracted herein below: -

"7. In view of the aforesaid, we find it appropriate to dispose of the PIL petition noting the action taken by the State Government against the erring officers and by directing that an inquiry shall be conducted into aforesaid allegations contained in paragraphs 27, 28, 29 and 30 coupled by Exhibits – H, I, J, K & L by the State Government within a period of six months from today. We further direct that in case in the inquiry certain other officers or tenderers /contractors or the individuals/firms, in whose favour work orders were earlier issued, are found to have erred, appropriate action may also be taken expeditiously."

2. Learned Additional Government Pleader representing the State -respondents submits that pursuant to the said order dated 6th December, 2023, a report has been submitted by the Superintending Engineer (Electrical), Mumbai Regional Electrical Board, Public Works Department, Mumbai vide his letter dated 17th May, 2024 to the Secretary (Building), Public Works Department, Mantralaya, Mumbai. Said report is on record, however, from a perusal of the said report it does not transpire that any substantial inquiry was conducted by the State Government for ensuring compliance of the directions issued by the Court vide its order dated 6th December, 2023, specially the directions contained in paragraph 7 thereof.

3. However, on the prayer made by Mrs. Chavan, learned Additional Government Pleader, we grant four weeks' time to ensure effective compliance of the order dated 6th December, 2023 and file an affidavit of compliance by the next date of listing.

4. On the oral prayer made by the learned counsel for the petitioner, let respondent no.1 be deleted and in its place the Additional Chief Secretary/Principal Secretary, Public Works Department, Government of Maharashtra, in his personal capacity, be impleaded as party respondent no.1. Necessary amendment shall be incorporated by the learned counsel for the petitioner within a week. Re-verification is dispensed with.

5. Stand over to **23rd October, 2024.** To be listed **High on Board.**

(AMIT BORKAR, J.)

(CHIEF JUSTICE)