



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

PUBLIC INTEREST LITIGATION NO. 5 OF 2023

Vishnu Panditrao Munde

VERSUS

The State Of Maharashtra Through The Secretary And Others

Mr. M. K. Bhosale, Advocate for petitioner

Mr. P. D. Suryawanshi, Advocate for respondent Nos. 2 to 6

Mr. A. M. Phule, AGP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 17th December, 2025

PER COURT :-

1. The petitioner is praying for direction to the respondent Nos. 1 to 3 to initiate inquiry and coercive action against respondent Nos. 3 to 8 for construction work under 2515 scheme in Tokwadi Tq. Parli Vaijnath, Dist. Beed.

2. Learned Advocate for the petitioner submits that on the basis of complaint made, respondent No. 5 had initiated inquiry and report was submitted stating that there is substance in the complaint that the cement road sanctioned from Joshi Galli to main road till the house of one Nagnath Munde has not been constructed. Further shortcomings or defects have also been mentioned in the said report and therefore, when no action has been taken in spite of the said report, the petitioner has no alternative but to knock the doors of this Court.

3. The first and foremost fact that is required to be noted is that petitioner is relying on the inquiry report which is at Exhibit 'D' on Page No. 214 and in the conclusion, it is said that the road is not in existence but as per the monthly meeting of Grampanchayat, Tokwadi, which was held on 15.02.2020 through resolution No. 7 the said work was then shifted to another place and for that purpose, the sanction has been obtained. Page No. 216 appears to be the order by the Zilla Parishad giving directions. On Page No. 215, it is stated that whatever work was made through Grampanchayat Tokwadi, that work is satisfactory and irregularities have pointed in respect of the same. Irregularities is a different question than illegality. Now, taking into consideration the Prayer Clause 'C', it was asked that the petitioner will have to deposit amount of Rs. 5,00,000/- to show his bona fides.

4. Learned Advocate for the petitioner submits that the petitioner is not in a financial position to deposit the said amount.

5. When the petitioner is not showing his bona fides, we do not find this to be fit case where the Court should exercise its power.

6. Petition stands dismissed.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi