



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL PUBLIC INTEREST LITIGATION NO. 1 OF 2022.

Digambar Haribhau Pajgade.

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Petitioner – In-person.

Shri D.V. Chauhan, G.P. and Senior Advocate with Ms S.S.
Jachak, A.G.P. for Respondent Nos.1 to 6, 8 & 9.

Shri H.S. Gade, Advocate for Respondent No.7.

CORAM : NITIN W. SAMBRE
AND SACHIN S. DESHMUKH, JJ

DATE : JUNE 25, 2025.

P.C.

We have heard the petitioner – In-person, learned G.P. and learned Counsel for the respondents.

2. In the present Criminal Public Interest Litigation, the petitioner in-person has brought to the notice of this Court about the illegal and unauthorized construction carried out in the premises of Awadhutwadi Police Station of

Yavatmal town.

3. The affidavits filed in the matter disclose about such temporary structure erected without any sanction from the competent Authority.

4. Corrective measures were taken by the Police Department, as also at the Government level for construction of new Awadhutwadi Police Station. The affidavit filed by the Executive Engineer, Public Works Department speaks of an assurance of completing the entire work of the new building of Awadhutwadi Police Station by 30.09.2025.

5. It appears that the Executive Engineer Mr. Vikrant Shribhate, has on earlier occasion assured this Court that he will be completing the work in question by 30.06.2025. The Government Pleader has straneously urged that certain contingency has delayed the work in question, and as such he assured this Court by an affidavit that the building in all respect including furniture, fixtures, painting etc., including compound wall, will be

ready for occupation by the said date.

6. We fail to understand whether the reasons which are sought to be relied for the purpose of seeking extension from 30.06.2025 to 30.09.2025 are genuine for the purpose of granting extension. The fact remains that all these facts were within the knowledge of the Executive Engineer, and it is only after going through the requirements, he has sought time and assured this Court that the construction will be completed by 30.06.2025.

7. It appears to be failure of his own supervision in getting the work completed by the said date and has now come up before this Court seeking extension without any justified and bonafide cause. The learned Government Pleader has assured that the construction in all respect shall be completed by 30.08.2025. We accept the said statement as an undertaking to this Court.

8. Needless to clarify that in case if upon inspection of the construction the Superintendent of Police, Yavatmal does not certify that the

building is not complete in all respect, we will be constrained not only to direct costs to be saddled in the matter to be recovered from the salary of the Executive Engineer, as also an adverse entry to be taken in his service book for making incorrect statement before the Court.

8. In our opinion, the following order will be suffice to dispose of the present Criminal Public Interest Litigation.

- (a) The statement made by the Executive Engineer, Public Works Department, Yavatmal that the entire work of Awadhutwadi Police Station, Yavatmal including that of furniture, fixtures, painting, compound wall etc., shall be completed by 30.08.2025, is accepted as an undertaking to this Court. Needless to clarify that the building shall be complete in all respect so as to administer the Awadhutwadi Police Station from the said building and it shall be only upon

certification by the Superintendent of Police, Yavatmal to that effect, this Court will be relieving the Executive Engineer from the said undertaking.

- (b) We further record undertaking of the Executive Engineer that once the building is occupied by the police officials of the Awadhutwadi Police Station, the illegal construction carried out in the premises of the old building shall be forthwith demolished and compliance report shall be filed by the Executive Engineer duly sworn by him, about such action being completed. The entire action of demolition shall be completed and compliance report be submitted before this Court on 30.09.2025.
- (c) Needless to clarify that we would also like to have a compliance affidavit from the Superintendent of Police, Yavatmal not only about occupation of the new Awadhutwadi Police Station, but, also on the demolition of

the old Awadhutwadi Police Station.

(d) As regards the action to be taken against the police officials who were instrumental in carrying out the illegal construction, we leave it to the discretion of the Director General of Police.

(f) We further direct the Registrar of this Court to refund the amount of Rs.25,000/- deposited by the petitioner with accrued interest thereon, within a period of four weeks from today.

9. With above directions, Public Interest Litigation stands disposed of. However, we post this matter for reporting compliance on 06.10.2025.

JUDGE

JUDGE