



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 437 OF 2023

Abhay Shamsundar Kurundkar ...Petitioner
Versus
The State of Maharashtra ...Respondent

Mr. Sandesh Manikhedkar, for the Petitioner.

Mrs. P.P.Shinde, A.P.P for the Respondent-State.

Mr. Ashutosh Kulkarni for the Respondent No.2 – CIDCO.

Ms. Seema Sawant, Section Officer, Home Department.

Mr. M.S.Pawar, Superintendent, Taloja Central Prison.

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**
DATE : 13TH JUNE, 2023

P.C. :

1. By this petition, sent through jail, by one of the inmates of Taloja Jail, the petitioner seeks adequate water for the inmates of the jail. The petitioner has prayed that CIDCO be directed to provide adequate water to Taloja Jail, as presently, the inmates are only getting 1½ bucket of water for the entire day, which is grossly inadequate.

2. Considering the aforesaid, vide order dated 8th June, 2023, we directed the learned APP to take instructions. Since certain directions were sought against CIDCO, notice was also issued to CIDCO, making the same returnable on 13th June, 2023.

3. Pursuant to the said order, learned Counsel Mr.Ashutosh Kulkarni is present on behalf of CIDCO and a Section Officer, Ms. Seema Sawant from the Home Department is also present today. The Superintendent of Talaja Jail is also present.

4. Learned APP has tendered a report of the Home Department as well as of the Superintendent of Talaja Jail. The said reports are taken on record. It is not in disputed in the reports, that the water supply is inadequate, inasmuch as, it is stated that about three lakh litres of more water is required for the inmates. It appears that the certain letters have been sent by the Government to CIDCO, including one in the last one week, requesting for more water supply.

It appears that CIDCO has increased the size of the pipeline from 80 MM to 100 MM , however, the water supply is still inadequate for the inmates of Taloja Jail.

5. Learned APP informs that there are two wells within the premises of Taloja Jail and that both are functioning and that one of the well has been repaired recently. When questioned, learned APP states that as on today, there is no provision for rain water harvesting. She further submits that presently, the inmates are given about 10 buckets of water daily, which statement seriously refuted by the learned Counsel for the petitioner.

6. Considering the condition and the issues raised in the aforesaid petition, we deem it appropriate to direct the Secretary, DLSA, Raigad, to visit Taloja Jail, on Saturday i.e. on 17th June, 2023, at 10.00 a.m. to verify the water supply made available to the inmates of Taloja Jail. The Secretary, DLSA, Raigad, to see whether the wells are in working condition; whether the water tanks from where water

is supplied have been cleaned; and whether rain water harvesting can be available in Taloja Jail. The Secretary, DLSA, Raigad, to also interact with the inmates of Taloja Jail, and verify the supply of water, the quality of water made available to the inmates. None of the officers from the Jail will remain present during the interaction of the Secretary, DLSA, Raigad, with the inmates. Accordingly, the Secretary, DLSA, Raigad, to submit his report before this Court on **22nd June, 2023**. It is open for the Secretary, DLSA, Raigad, to incorporate other details with respect to water supply to Taloja Jail inmates.

7. The authorities i.e. a responsible officer from CIDCO as well as the Deputy Secretary from the Home Department, to remain present during the said inspection. The concerned Collector from Raigad District, to also remain present during the said inspection.

8. Stand over to **22nd June, 2023**. To be listed on the Supplementary Board.

9. Learned APP to inform the authorities i.e. the Deputy Secretary from the Home Department and the Collector from the Raigad District, of the order passed today.

10. Registry to forthwith forward a copy of this order to the Secretary, DLSA, Raigad, by fax, so as to enable him to comply with the same.

11. All concerned to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.