



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE SIDE JURISDICTION**

**PUBLIC INTEREST LITIGATION NO. 74 OF 2023**

Narayan Yeshvant Kochak & Anr. .... Petitioners

Vs.

Maharashtra Metro Rail Corporation  
Ltd. & Ors. .... Respondents

Mr. Pratik Rajopadhye a/w. Mr. Nikhil Dongre, Abhishek Wakhle, Ashish Patankar and Ameya Ranade for the Petitioners

Mr. S. K. Mishra, Senior Advocate with Pralhad Paranjape, Kaustubh Deogade i/b. Manish Kelkar for Respondent No.1.

Ms. Savita Sadanand Ganoo a/w. Leena Patil for Respondent No.2.

Mr. Ashutosh Kulkarni for Respondent No.9

Mr. P. P. Kakade, GP a/w. Mrs. R. A. Salunkhe, AGP for the State

Mr. Atul Damle, Senior Advocate i/b. Rahul Punjabi for the intervener

**CORAM: S.V. GANGAPURWALA, ACJ &  
SANDEEP V. MARNE,J.**

**DATED : APRIL 17, 2023**

**P.C.**

1 We have heard the learned Counsel for the Petitioners and the Respondents.

2 The Petitioners submit that the present Public

Interest Litigation is filed to probe into the quality of the construction, structural safety of the superstructures of the metro stations and systematic failure of the Quality Assurance / Quality Control system of the Pune Metro Rail Project in Pune.

3 According to the Petitioner, there are gross violations and lapses in the construction of the Metro Stations of Pune Metro on Reach II of Line 2 of Pune Metro Rail Project thereby seriously endangering public life and safety of the commuters using the the Reach II as well as the passersby and pedestrians traveling below the Metro Stations situated on the Reach II.

4 It is submitted by the Respondents that the COEP Technological University, Shivaji Nagar, Pune was appointed and the report is submitted.

5 According to the learned Counsel for the Petitioners, the said report presented by the Associate Professor in Civil Engineering, Civil Engineering Department, COEP Technological University, Pune records the following suggestions and the conclusions:

- “i. During inspection work, I observed a good team work of Metro Engineers and they have seriously started rectifications of the deficiencies.*
- ii. The sample sheet No. 1 provided for the recording of structural performance based on the data available and software results from the concerned structural designer/structural consultant will be helpful to measure performance of the structure and safety margin and accordingly it can be certified by the concerned structural designer.*
- iii. It is assumed that the structure is designed by the experts and already proof checked by the appropriate authority. The fact is that some deficiencies in joints particularly at bracket level connections due to misalignment and deficiencies due to poor quality of workmanship and welding at some locations, are observed. However, the immediate efforts taken by the engineers for the rectifications of the observed deficiencies from Maha-Metro are highly appreciated.*
- iv. As per my observation for the steel structure at all the stations viz Vanaz, Anand Nagar, Ideal Colony, Nalstop and Garware College Station, minor rectifications of steel structure are suggested as described above. These have mostly been attended by Pune Metro team and remaining are in advance completion. Notwithstanding these minor deficiencies in structural connections and minor workmanship defects at site and considering*

*residual structural capacity available in the design, I come to the conclusion that the Steel/PEB structures of these metro stations are structurally safe.”*

6 Clause (iii) of the said report is on assumptions.

7 The letter was issued by the Maharashtra Metro Rail Corporation Limited to the Petitioners that there were some minor deficiencies and they are being attended to.

8 However, the report did not find favour even with the COEP Technological University. Mr.Kulkarni, the learned counsel for the COEP Technological University submits that it has taken note of the complaint reflected in the local newspapers.

9 The report dated 10.03.2023 it appears is not an interim report. However, it has been suggested that the COEP has appointed an expert faculty to undertake re-examination of the work and submit the final report to the Maha Metro, Pune within one week. The said letter is issued by the In-Charge Vice Chancellor of the University.

10 COEP Technological University is required to be more serious in the matter as it concerns the safety of the

commuters, passersby and pedestrians.

11 As the COEP has decided to appoint an expert faculty to undertake re-examination of the work, the same shall be done in all seriousness. The copy of the report of expert faculty shall also be provided to the Petitioner.

12 In matters of public project of this nature, there may not be laxity on the part of any of the stake holders and the persons manning the project.

13 We hope and trust that the COEP shall forward the report as is undertaken in the letter dated 15.04.2023 issued to the Director (Works), Maha Metro, Pune and the defects pointed out shall be attended to by Respondent no.1 in all earnestness. If further deficiencies are still found, then the Petitioners are at liberty to take appropriate steps in that regard.

14 With these observations, Public Interest Litigation is disposed of. No costs.

**(SANDEEP V. MARNE, J.)**

**(ACTING CHIEF JUSTICE)**