

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

WRIT PETITION NO. 3852/2005.

Vinod Pralhad Pawar

VERSUS

State of Maharashtra and others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

CORAM : B.P. DHARMADHIKARI
AND A.P. BHANGALE, JJ.

DATE : FEBRUARY 17, 2015.

Shri V.R. Choudhari, learned Counsel for
the petitioner, Mrs. B. H. Dangre, learned Counsel for
respondent no.2 and learned A.G.P. for respondent
no.1.

After hearing the respective Counsel on
08.01.2015 has passed the following order.

“ *After some arguments, Shri V.R.*

Choudhari, learned Counsel appearing for the petitioner has invited our attention to a Division Bench judgment in case of Vijay Panditrao Visale .vrs. State of Maharashtra reported at 2004 (4) BCR 334, and an order of Hon'ble Supreme Court dated 15.09.2009 in Civil Appeal No. 6285/2009, overruling it. According to him, facts in present matter and in case of Vijay Visale are same.

The earlier counsel appearing for respondent - Scrutiny Committee has not been still substituted. Shri A. Deshpande, learned Counsel present in Court states that from court file, he has collected some details and he is trying to find out what has happened after the remand order passed by the Hon'ble Supreme Court in said case of Vijay Visale.

He also points out that he does not have necessary papers to assist the Court.

In this situation, list the matter for further consideration on 12.01.2015.”

Today, Mrs. Dangre, learned Counsel appearing on behalf of respondent no.2 upon instructions states that case of Vijay Panditrao Visale is still being looked into by the Scrutiny Committee.

In this situation, in order to avoid any duplication and further complication, we find it appropriate that case of present petitioner - Vinod Pralhad Pawar is also looked into along with the said matter by the Scrutiny Committee.

Respective Counsel have no objection to this course of action.

Accordingly, for said purpose we quash and set aside the order dated 06.06.2005, and place back the matter before the respondent no.2 - Scrutiny Committee.

Petitioner – Vinod Pawar shall appear before the respondent no.2 on 08.04.2015 and shall abide by its further instructions in the matter. The said Committee shall attempt to complete the verification in case of Vijay Visale and Vinod Pawar, as far as possible together and pass suitable order within next six months. Prayer of petitioner for protection is kept open and can be looked into if occasion therefor arises.

Interim order protecting services of petitioner operating today, to continue till then and

shall be subject to it.

With these directions and observations,
Writ Petition is disposed of. No costs.

JUDGE

JUDGE

Rgd