

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
PUBLIC INTEREST LITIGATION NO.33 OF 2015

Jafar s/o Salar Patel

Petitioner

Versus

State of Maharashtra & others

Respondents

Mr.P.R.Patil, advocate for the petitioner.

Mr.P.S.Patil, A.G.P. for Respondents No.1 to 5.

Mr.S.R.Choukidar, advocate for Respondent No.6.

CORAM : R.M.BORDE &

A.I.S.CHEEMA, JJ.

DATE : 14th January, 2016

PER COURT:

1 Petitioner is making a request to direct the Respondents to implement provisions of Section 3(1) and other provisions of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, in respect of Respondent No.6 – Smt. Smruti Patil, thereby removing her from the post of Chairman of Liquidator Board of Rajiv Gandhi Cooperative Bank Limited, Latur. Petitioner also makes a request to direct the Respondents to hold inquiry into the representation of the petitioner dated 05.01.2015 in respect of Rajiv Gandhi Cooperative Bank Limited, Latur, through an independent higher ranking officer.

2 An affidavit-in-reply has been presented by Respondents No.4 and 5 wherein it has been stated that identical allegations were made in the complaint lodged by one Ramesh Karad and those allegations are investigated by making appointment of District Deputy Registrar, Cooperative Societies,

Osmanabad, as an Inquiry Officer. The District Deputy Registrar has tendered his report on 15.09.2015 and has not proposed any action against Respondent No.6.

3 The petitioner has invited our attention to the report tendered by the Special Auditor, Class-II, Cooperative Societies, Latur, on 30.05.2015 whereunder Respondent No.6 has been held responsible for certain irregularities.

4 In the peculiar facts and circumstances of this case, we deem it appropriate to direct the Divisional Joint Registrar, Cooperative Societies, Latur, to scrutinise the reports tendered by District Deputy Registrar, Cooperative Societies, Osmanabad, on 15.09.2015 as well as report submitted by Special Auditor, Class-II, Cooperative Societies, Latur, on 30.05.2015; and issue necessary directions, if deemed necessary. It would be open for the Divisional Joint Registrar, Cooperative Societies, Latur, to direct further inquiry into the matter, if deemed necessary, considering allegations as well as reports of inquiry or the said authority may pass any other appropriate order. This exercise shall be completed by the Divisional Joint Registrar, Cooperative Societies, Latur, within a period of four months from today.

5 In view of above directions, PIL stands disposed of.

A.I.S.CHEEMA
JUDGE

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R.M.BORDE
JUDGE