

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CONTEMPT PETITION NO.767 OF 2016 IN
PIL PETITION NO.37 OF 2014

Vilas s/o Vitthal Dande

Petitioner

Versus

Nidhi Pande,

District Collector, Aurangabad & others

Respondents

Mr.R.B.Singare, advocate for the petitioner

Mr.S.B.Yawalkar, A.G.P. for Respondent No.1.

Mr.D.K.Rajput, advocate for Respondents No.2 & 3.

CORAM : R.M.BORDE &

SANGITRAO S. PATIL, JJ.

DATE : 23rd December, 2016

PER COURT:

An affidavit-in-reply has been presented on behalf of Respondents No.1 as also on behalf of Respondents No.2 & 3.

2 In the reply presented on behalf of Respondent No.1, it is stated in paragraphs no.8, 9 and 10, as quoted below:

8 I further say and submit that, after the receipt of the said enquiry committee report, and the report dated 26.7.2016 the deponent had issued the letter dated 11.8.2016 to the respondent no.2 – Chief Executive Officer, Zilla Parishad, Aurangabad, thereby giving directions to initiate necessary action as per law against the responsible persons in respect of the recovery of the different amount and also for having committed irregularities in the completion of the said works.

9 I further say and submit that, in the like manner on 24.11.2016 the deponent have also issued a letter to the respondent no.2 – Chief Executive Officer, Zilla Parishad, Aurangabad, for initiating necessary action against the responsible officer/employees for having committed irregularities in the completion of the works as referred above, and submit the report in the office of the deponent immediately.

10 I further say and submit that, the office of the respondent no.2 – Chief Executive Office, Zilla Parishad, Aurangabad, had submitted report dated 29.11.2016 in the office deponent thereby stating that, the respondent no.2 had issued notices to the concerned Sarpanch, Block Development Officer, Panchayat Samiti Gangapur, Sectional Engineer, Panchayat Samiti Gangapur, Gram Rozgar Sevak, Agarkanadgaon, Gramsevak, Agarkanadgaon who were responsible for the irregularities in the works, to deposit the difference amount calculated by the Joint Enquiry Committee. Accordingly the concerned Sarpanch and the other officers/employees have deposited the amount of Rs.2,72,538/- in the Government Account. So also by way of the said report dated 29.11.2016, the respondent no.2 has reported that the Departmental Enquiry Proceedings have been initiated against the responsible officers/employees for having committed irregularities in the completion of the works and accordingly a Departmental enquiry proposal has been submitted to the Secretary (EGS), Government of Maharashtra through the office of the Divisional Commissioner, Aurangabad.

3 In the affidavit-in-reply presented on behalf of Respondents No.2 and 3, it is recorded in paragraphs no.9 and 10, thus:

9 I say and submit that, immediately after receipt of list of responsible officers, the office of present deponent issued recovery notices on dated 24.11.2016 to all the concerned responsible officers/persons. Accordingly all those erring officers have deposited recovery amount in the Treasury Office, Aurangabad on dated 25.11.2016.

10 I say and submit that, as such the office of present deponent has recovered the misappropriated amount from the concerned responsible officers. Even the office of present deponent has framed detail Charge Sheets against all these concerned responsible and guilty officers and submitted the same to the Secretary, Department of Rural Employment Guarantee Scheme of State of Maharashtra through the Divisional Commissioner, Aurangabad.

4 Since the concerned respondents have complied with the directions issued by this Court and has recorded further assurance in the affidavit-in-reply to take further steps in observance of the directions issued by this Court, grievance raised by the petitioners in the Contempt Petition does not survive.

5 Contempt Petition, as such, does not survive and stand disposed of.

(SANGITRAO S. PATIL)
JUDGE

(R.M.BORDE)
JUDGE

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