

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.155 OF 2010

Abhimanyu Davlat Kamble and Another	...Petitioners
vs.	
The State of Maharashtra and Others	...Respondents

Mr. Rajesh Patil, for the Petitioners
Mr. Asif Patel, AGP for Respondent Nos. 1 to 3.
Mr. S.C. Mangle, for Respondent Nos. 4 and 8.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : JULY 18, 2016

PC.:

Parties through their counsel.

2. Through this Public Interest Litigation, the Petitioners are seeking direction against Respondent Nos. 2 to 4 to initiate action against Respondent Nos. 5 and 6 by recovering funds misappropriated by them and wasted due to their negligence and also seeking initiation of criminal complaint against them for the fraud alleged to have been committed by them. The Petitioners are also seeking direction to the Gram Panchayat of village Tivare Ghera and or the

Zilla Parishad, Ratnagiri to complete the incomplete works of water storage tank and cultural stage and roads in Buddhist Wadi and to furnish remaining equipments meant for individual toilets to the 25 beneficiaries.

3. On being notice, the Respondent-State filed an affidavit in reply stating therein that the Assistant Commissioner, Inquiry submitted the final inquiry report to the Chief Executive Officer, Zilla Parishad, Ratnagiri and action has been taken against Respondent No. 6. The said report has been filed with the reply.

4. On going through the said report, it is revealed that the work which was to be performed by Respondent Nos. 5 and 6 has not been completed and as per the inquiry report, the departmental action has been taken against Respondent No. 6. However, it is revealed that no action has been taken against Respondent No. 5 who was the then Sarpanch.

5. Having considered the submissions made by the learned counsel for the parties and having gone through the affidavit and the

inquiry report, we direct the Respondent Zilla Parishad to complete the unfinished work as expeditiously as possible preferably within six months from the date of receipt of copy of this order.

6. As regards the allegations of the Petitioners that Respondent No. 6 is also involved in the matter but no action has been taken against him by the Chief Executive Officer, Zilla Parishad, Ratnagiri, we direct the Chief Officer consider this aspect of the matter and take appropriate action in accordance with law against Respondent No. 6 within three months from the date of receipt of copy of the order.

7. The Public Interest Litigation stands disposed of as such.

8. The parties to act on the authenticated copy of the order.

(M.S. KARNIK, J.)

(S.S. KEMKAR, J.)