

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****PUBLIC INTEREST LITIGATION NO. 157 OF 2016**

Jayprakash Balwant Joshi .. Petitioner
versus
State of Maharashtra & Ors. .. Respondents

Mr. C. G. Gavnekar for Petitioner.
Mr. C. P. Yadav – AGP for State – Respondent Nos. 1 to 6 and 9 to 12.

**CORAM: DR. MANJULA CHELLUR, C. J. AND
M. S. SONAK, J.
DATE : 30 SEPTEMBER 2016**

P.C.:

1] The complaint before us is in the nature of *pro bono publico* making allegations against several officers of the State Government contending that though having knowledge of proposed acquisition of land for the purposes of establishment of industrial town or areas in accordance with the State Enactment, have indiscriminately purchased agricultural land from poor farmers which not only causes money loss to the poor farmers in the form of monetary benefit but also the revenue loss to the State. Therefore, they have already approached the authority referred at Exhibit 'L' at page 44 by letter dated 9 September 2015 addressed to the Director Anti Corruption, Maharashtra State giving the details of the lands, villages in which they are situated and the names of the officers who have purchased the said land. Apart from that in the writ petition also at paragraph 6 details of the officers who purchased agricultural lands including the designation of the officers is mentioned.

When the petitioner approached the concerned authority under RTI to know the stage of complaint or representation made by him, he received a reply dated 25 May 2016, wherein the concerned officers to whom a complaint is lodged said to have opined that there is to be an open enquiry in the matter. It further informs the petitioner that they have already recommended to the Government to take necessary action by letter dated 27 January 2016.

2] In the light of above facts and circumstances, it is needless to say that the so-called enquiry recommended by the officer concerned has to reach logical conclusion taking one way or the other a decision by the concerned Authority depending upon the outcome of the open enquiry. It is needless to say that at the time of open enquiry, the interested parties including affected parties have to be heard before any action is initiated

3] With these observations, the writ petition is disposed of.

CHIEF JUSTICE

(M. S. SONAK, J.)