

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

PUBLIC INTEREST LITIGATION NO. 119/2016.

Santosh Isram More

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B.P. DHARMADHIKARI &
ARUN D. UPADHYE, JJ.**

DATE : SEPTEMBER 20, 2017.

Heard Shri S.U. Bhuyar, learned Counsel
for the petitioner, Shri S.M. Ghodeswar, learned A.G.P.
for respondent nos. 1,2 and 8, Shri S. Saoji, learned
Counsel for respondent no.3 and 5 and Shri P.B.Patil,
learned counsel for respondent nos. 6 and 7.

2. After order of this Court dated 11.08.2016
and 28.06.2017, a written submissions has been filed
by respondent no.3. Along with that submission,
enquiry report dated 06.09.2016, prepared by Block
Development Officer, Panchayat Samiti, Chikhili has
been enclosed. Shri Bhuyar, learned counsel for
petitioner is not satisfied with that report and he has

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sought certain information under Right to Information Act. He is seeking adjournment.

3. After hearing respective counsel for respondents, we find that the grievance is about alleged excessive expenditure or mis appropriation by the Gram Panchayat. Report of Block Development Officer needs to be looked into by respondent no.3 Chief Executive Officer. Chief Executive Officer can at that stage also extend opportunity of hearing to petitioner.

4. Necessary records looked into by the Block Development Officer or then needed by the petitioner, can be made available at that juncture to him, and then suitable opportunity of hearing can be afforded.

5. In this situation, we direct petitioner to appear before respondent no.3 Chief Executive Officer on 30.10.2017, and to abide by his further instructions in the matter. Said Authority shall consider report of Block Development Officer mentioned supra, hear all concerned and pass suitable orders within a period of next three months. If any amount is found recoverable, necessary action as per law shall then be initiated and amount shall be recovered within next four months.

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6. With these directions and with liberty to petitioner to approach again, if any other grievance arises, we dispose of the present Public Interest Litigation. No costs.

JUDGE

JUDGE

Rgd.