

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD.**

**WRIT PETITION NO. 5007 OF 2013**

Vishnu Digambarrao Bhope.

Petitioner.

Versus

The State of Maharashtra and ors.

Respondents.

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Mr. A.S. Deshpande, Advocate for the petitioner.

Mr. M.M. Nerlikar, A.G.P. for respondent Nos.1 and 4.

Mr. S.S. Chapalgaonkar, Advocate for respondent No.2.

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CORAM : **T.V. NALAWADE &  
SUNIL K. KOTWAL, JJ.**

Dated : 25.01.2018.

**ORDER :-**

1. Heard Both sides.
2. The present petition is filed for many reliefs. The reliefs from prayer clauses 'B' to 'D' in para No.23 cannot be granted in favour of the petitioner and that is made clear by this Court.
3. The only prayer, which this Court has considered, is the prayer mentioned in Clause-E of para No.23. The relevant record is produced by the petitioner who was appointed as "Enquiry Officer" by respondent No.2. The record shows that he completed the enquiry and he submitted report showing that the delinquent needs

to be exonerated. This order is a part of Roznama, but as per the petitioner/Enquiry Officer, that is report of Enquiry. There is no specific format of the report and if Enquiry Officer says that the report can be found in Roznama, that needs to be accepted.

4. Learned Counsel for respondent No.2 submitted that the matter involves recovery of some money which is disputed and so the petitioner needs to go to Civil Court.

5. Respondent No.2 is the Authority of the State and in view of the contentions made in the proceeding and the submissions made, this Court holds that direction needs to be given to respondent No.2 to give the fees in respect of the Enquiry. The submissions made show that in the past the petitioner had conducted another departmental enquiry as Enquiry Officer and for that he was given the amount of Rs. 11,500/-.

6. Learned Counsel for the petitioner, on instructions, made a statement that the petitioner is only interested to show that he has done his job and if the amount is awarded to him, that amount may be given to Bar Library of the High Court.

7. In view of the aforesaid observations, this Court holds that respondent No.2 shall pay an amount of Rs. 11,500/- to the petitioner, which amount is to be paid to the Bar Library of the High Court, Bench at Aurangabad and its receipt to be produced before

(3)

WP NO. 5007/2013

Registrar (Judicial), High Court, Bench at Aurangabad within 45 days.

**( SUNIL K. KOTWAL )**  
**JUDGE**

**( T.V. NALAWADE )**  
**JUDGE**

vdd/