

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1034 OF 2015

Govind Shankarrao Mule,
Age : 49 Years, Occ. Service
Assistant Administrative Officer,
R/o. Panchayat Samity,
Chakur, Tal. Chakur Dist. Latur ..PETITIONER

VERSUS

- 1] State of Maharashtra,
- 2] Maheshkumar Vaijinathrao Meghmale,
Age : 41 Years, Occ. Service,
Additional Chief Executive Officer,
Zilla Parishad, Latur ..RESPONDENTS

...
Advocate for Applicant : Mr. V. D. Gunale
APP for Respondents: Mrs. V.S. Chaudhary
...

CORAM :T.V. NALWADE AND
SMT.VIBHA KANKANWADI,JJ.
DATE : 15-10- 2018.

JUDGMENT(Per T.V. NALWADE, J] :-

Rule. Rule made returnable forthwith. By consent heard both the sides only in respect of petitioner no.3 Govind Shankarrao Mule as the petition of other petitioners is already disposed of as withdrawn by this Court, today.

- 2] This Court has seen the material collected against applicant Mule

and also the inquiry report prepared by the inquiry officer appointed by the disciplinary authority. Mule was admittedly on leave from 07.07.2014 to 18.08.2014. The tender notice on e-mail was published on 5.8.2014 and the work order was issued on 14.08.2014. Thus during the period when the order was given of supply of tin sheets, by Panchayat Samiti, petitioner Muley was on leave. Inquiry officer also held that due to this circumstance, it is not possible to draw inference that he was involved in the offence of the misappropriation committed in respect of the contract of supply of tin sheets. Due to only this circumstances this Court holds that relief needs to be granted to petitioner Mule and so his petition is allowed and relief is granted to him in terms of prayer clause 'C'.

3] This relief is only in respect of Muley and proceeding investigation needs to be go on in respect of other accused persons.

Rule made absolute in those terms.

[SMT.VIBHA KANKANWADI]
JUDGE

[T.V. NALAWADE]
JUDGE

YSK/