

(1)

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

WRIT PETITION NO. 8701 OF 2015

Anil S/o Sahebrao Lavete
Age 48 years, Occu. Service
R/o Venkatesh Nagar, Ambajogai Raod
Latur, Tq. & Dist. Latur

..PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary,
Woman and Children Development
Department, Mantralaya, Mumbai - 32
2. The Commissioner,
Woman's and Children's Welfare
Development Department Maharashtra State
Pune - 1
3. The Divisional Deputy Commissioner
Woman's and Children's Welfare,
Development Department, Aurangabad
Division, Aurangabad.
4. The District Welfare Officer,
Woman's and Children's Development
Dist. Jalna

..RESPONDENTS

Petitioner in person;
Mrs M.A. Deshpande, AGP for respondents

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ.**

DATE : 12th March, 2019

ORAL ORDER:

(2)

The petitioner was before this Court mainly seeking relief in prayer clause (C).

2. On perusal of the record it reveals that the grievance raised by the petitioner is reflected in the order of the Division Bench, dated 14th March, 2016, which reads, "though the detailed inquiry has been conducted by the committee which was constituted for the said purpose, no further steps are taken by respondents so as to reach conclusions in the said inquiry to the logical end.

3. On 4th February, 2019, the Division Bench, by referring to the earlier order dated 20th September, 2017 directed the learned A.G.P. to make the record available for perusal of this Court in a sealed envelope on 22nd February, 2019. Accordingly, the record is submitted to this Court. The affidavit-in-reply filed on behalf of respondent no.1 also refers to the various orders and the remarks of the Inquiry Committee on each of the points raised in complaint/application. The complaint/application was on the backdrop of the irregularities in disbursement of the grants to certain ashram schools. The Inquiry Committee prepared a statement in tabular form considering each of the aspects, such as the year, disbursement of the amount proposed and disbursement in actual as well as the balance of the amount. Then there is reference to various

(3)

entries and the orders and the cheques issued against the amounts. It is also stated in the report that in so far as one institute namely, Shashikalatai Lavate Balgruha, Shahagad is concerned, the quantification of the excess amount paid to the institute can only be done after finalisation of the accounts but the report states that there is dereliction of the duties by certain officers and these officers acted irresponsibly in the distribution of amount. Then, it refers to another institute i.e. Balgruh, Badnapur being run by the institute namely, Sonali Mahila Mandal, Jalna. The report states that there is large difference in the amounts of entitlement to the institute and the amount disbursed to the institute against the entitlement. The inquiry report also states that certain officers are responsible for this irregularities and for disbursement of the amount. The inquiry report also refers to some interpolation in the record. The inquiry report then refers to the immediate measures against the erring officers and the report states that in future one of the erring officers shall not be assigned any of the activity of disbursement of the amount. Then the report refers to transfers of two officers, out of whom one was a regular employee, whereas another officer was on probation. The report also states that it would be advisable to take appropriate action by the competent authority against the erring officers for the financial irregularities in the form of disbursement of excess amount to the institutes.

(4)

4. On perusal of the report we are satisfied that a prompt inquiry is conducted in the matter. The inquiry report deals with the aspect of irregularity in disbursement and also responsibility is fixed on the erring officers. The inquiry report is also suggestive of the action against the erring officers. In view of these facts, it can safely be said that the purpose of approaching this Court by filing of the present petition, is fully served.

5. In view of the inquiry report, we hope and trust that the respondents authorities would take prompt action against the erring officer / officers, as early as possible, without there being any inordinate delay, if it is not already taken.

With aforesaid observations the petition stands disposed of.

The record be returned to the learned A.G.P..

(NITIN W. SAMBRE, J.)

(PRASANNA B. VARALE, J.)

amj