

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

WRIT PETITION NO.1381 OF 2019

**SOMNATH SURYABHAN GARJE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. G.J.Katne, Advocate h/f Mr.R.G.Hange, Advocate for
the petitioner

Mrs. M.A.Deshpande, AGP for the respondent/State.

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 31.01.2019

P.C. :-

1. Heard learned counsel for the petitioner.
2. Learned counsel for the petitioner submitted that, the petitioner is activating social life and raises grievance against the illegalities and mischiefs. Accordingly the petitioner submitted representations initially to the Block Development Officer, Panchayat Samiti, Shrirampur raising a grievance in respect of certain tenders. It is submitted that these tenders were allotted to the Contractors who were near and dear to the officers of Zilla Parishad and the works undertaken under the tenders are of low quality or of sub standard quantity. On repeated representations the Chief Executive Officer, Zilla Parishad, Ahmednagar respondent No.3 thought it fit to constitute a Committee for thorough enquiry in the matter by order dated 23.08.2018 the Chief Executive Officer constituted three enquiry squads under the Deputy Executive Officer, Gram

Panchayat Zilla Parishad Ahmednagar, Block Development Officer, Panchayat Samiti, Rahuri and Block Development Officer, Panchayat Samiti, Tal. Rahata respectively. In these three enquiry squads committee the other members were the Deputy Engineer, the Extension Officer, the Assistant Auditor of the Panchayat Samiti of Rahuri and Rahata. The Chief Executive Officer sought for the enquiry report within stipulated period of 7 days and also directed the enquiry Committees to visit at least two Grampanchayats personally and submit the objective self speaking report. The petitioner then immediately approach the Deputy Chief Executive Officer on 03.09.2018 submitting that there is a delay in enquiry. The learned counsel submitted that the anxiety of the petitioner is of an expeditious enquiry in the matter and submission of report to the Chief Executive Officer and in turn the Chief Executive Officer to take appropriate steps against them. The prayer of the petitioner has submitted by the learned counsel on the backdrop of the facts referred above is justified. At the same time we state that the petitioner may not act as an appellate authority over each and every authority of the state and may not issue directions to these authorities by fixing stipulation of period and also may not give threats of hunger strike etc.

3. With these observations the petition is disposed of with directions to Chief Executive Officer, Zilla Parishad, Ahmednagar to issue immediate instructions to the Enquiry Committies/squads constituted under the order dated 23.08.2018 for submission of the report. The

Chief Executive Officer to seek the report as expeditiously as possible and preferably within four weeks from the date of order of this Court and on receiving the report from the Enquiry Committee so constituted to take appropriate decision. With these directions the petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]