

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

WRIT PETITION NO.4644 OF 2019

Ganesh s/o Avachitarao Shejul
Age: 36 years, Occ: Agri.,
R/o. Rajur, Tq. Bhokardan,
Dist. Jalna.

PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Rural Development Department,
Mantralaya, Mumbai
2. The Additional Divisional Commissioner,
Divisional Commissioner Office
At Aurangabad
3. The Chief Executive Officer,
Zilla Parishad, Jalna
Tq. & Dist. Jalna

RESPONDENTS

Mr E.S. Murge, Advocate for the petitioner;
Mrs Vaishali N. Patil Jadhav, A.G.P. for respondent Nos.1
& 2;
Mr S.S. Tope, Advocate for respondent No.3

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

DATED : 24th APRIL, 2019

ORAL ORDER:

Heard learned Counsel for the petitioner.

2. Considering the limited grievance raised in the petition, we deem it appropriate to dispose of the petition at admission stage.

3. Issue notice to the respondents, returnable forthwith.

4. Learned A.G.P. waives service of notice for respondent Nos. 1 and 2 and Mr. Tope, learned Counsel waives for respondent No. 3.

5. The petitioner had approached the Chief Executive Officer, Zilla Parishad, Jalna by preferring complaints in respect of financial irregularities in the working of Grampanchayat. In view of Section 39 of the Maharashtra Village Panchayat Act, an inquiry was

conducted and report was submitted to the Divisional Commissioner. The Divisional Commissioner by order dated 25th October, 2018 directed the Chief Executive Officer, Zilla Parishad, Jalna to submit a fresh report by conducting re-inquiry in the matter. It is the submission of learned Counsel for the petitioner, in spite of application dated 26th March, 2019 apprising Chief Executive Officer, Zilla Parishad, Jalna about order of Divisional Commissioner, an exercise of re-inquiry is not undertaken by the Chief Executive Officer, Zilla Parishad, Jalna and delay in the matter may frustrate the object under the provisions of Section 39(1) of the Maharashtra Village Panchayat Act, 1958.

6. Mr. Tope, learned Counsel for respondent No. 3 submits that the Chief Executive Officer, Zilla Parishad, Jalna will look into the matter and as early as possible would submit report to the Divisional Commissioner in compliance with the order dated 25th October, 2018. The

statement made on behalf of respondent No. 3 is accepted as an undertaking to this Court. This statement made on behalf of respondent No. 3 takes care of the grievance of the petitioner. Let the Chief Executive Officer, Zilla Parishad, Jalna to submit enquiry report within three months from the date of service of this order. As such, the petition is disposed of.

[NITIN W. SAMBRE,J.]

[PRASANNA B. VARALE,J.]