

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

122 WRIT PETITION NO.11515 OF 2018

KETAN PRAVIN KHORE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. Shaikh Mazhar A. Jahagirdar, Advocate for Petitioner.
Mr. G.O.Wattamwar, AGP for Respondents-State.
Mr. V.R.Dhorde, Advocate for Respondent No.2.

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**CORAM : S.V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 24th June, 2019

PER COURT :-

1. We have heard the learned counsel for the petitioner.
The affidavit is filed by respondent No.2 through Incharge
District Administrative Officer, Collectorate, Ahmednagar.

2. Paragraph Nos.5 and 6 of the affidavit read thus :

“5. I say and submit that the Committee constituted by the answering respondent has enquired the matter in detail, inspected the record, visited the sites and thereafter submitted its detail report dated 24.07.2018 to the answering respondent. I say and submit that the answering respondent after taking in to consideration the factual report submitted by the Committee and findings mentioned therein has came to the conclusion that the then Chief Officer,

Shrirampur Municipal Council and Engineer, Shrirampur Municipal Council prima facie appears to be involved in the illegalities in the under ground drainage work being carried out in Shrirampur city. Accordingly, the answering respondent has submitted report dated 24.12.2018 to the Commissioner and Director, Directorate Municipal Administration, Mumbai.

6. *I say and submit that in the report dated 24.12.2018 the answering respondent has specifically mentioned that, the then Chief Officer, Shrirampur Municipal Council is Class-I Officer and now he has been transferred out of district and therefore it is expected on the part of the Commissioner and Director, Directorate Municipal Administration, Mumbai to initiate joint action against the erring officers. The said proposal is under consideration before the Commissioner and Director, Directorate Municipal Administration, Mumbai.”*

3. In light of the above, it appears that the grievance of the petitioner has been considered by the respondents. The Committee was constituted to inquire into the matter and in the report submitted by the Committee, the then Chief Officer, Shrirampur, Municipal Council and Engineer, Shrirampur Municipal Council are prima facie appeared to be involved in the illegalities of the under ground drainage work and it is also submitted that it is expected on the part of the Commissioner and Director, Directorate Municipal

Administration, Mumbai to initiate joint action against the erring officer. The said proposal is under consideration before the Commissioner and the Director, Directorate Municipal Administration, Mumbai.

4. Needless to state, the respondents would abide by the affidavit filed.

5. If the petitioner seeks initiation of any criminal action, the petitioner has the remedy available for the said purpose.

6. The Writ Petition is disposed of. No costs.

(MANGESH S. PATIL, J.) (S.V. GANGAPURWALA, J.)

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vmk/-