

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

WRIT PETITION NO. 9658 OF 2021

Vilas Ganpatrao Shirolkar .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Nikhil S. Tekale, Advocate for the Petitioner.

Shri A. R. Kale, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
R. N. LADDHA, JJ.**

DATE : 08TH SEPTEMBER, 2021.

FINAL ORDER :

. We have heard Mr. Tekale, the learned advocate for the petitioner. The learned counsel submits that, false case bearing M Case No. 05/2008 was registered against the petitioner. After having concluded the investigation, the Investigating Officer opined that no case is made out and as such filed C summary report. Same was filed in the year 2009. The same is kept pending. The petitioner filed Criminal Application No. 529 of 2021. This Court disposed of said criminal application directing the Trial Court to dispose of the proceedings and deal with C summary report as per law. Thereafter notice has been issued by the learned Judicial Magistrate First Class to the complainant. Same is pending. The petitioner is in the zone of consideration for the promotional post of Deputy Director of Land Records, however, the petitioner is not promoted only on the ground that

C summary report is not finally accepted. The same is pending for more than eleven years.

2. The learned Assistant Government Pleader for respondent Nos. 1 and 2 has placed on record the communication received by him from the Department of Revenue and Forest. The same is taken on record and marked as Exhibit 'X' for identification.

3. As per the said communication one post of Deputy Director of Land Records is kept vacant for the petitioner as the C summary report is pending and the opinion of the Law and Judiciary Department is awaited.

4. As one post is already kept vacant of the Deputy Director of Land Records in view of the pendency of C summary proceedings, the apprehension of the petitioner stands redressed.

5. In view of the above, the writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Sept. 21