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

939 WRIT PETITION NO.11064 OF 2021

**SHAIKH JULKARNAIN SHAIKH YUNUS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS**

Mr. V.B. Kulkarni, Advocate for petitioner;
Mr. S.B. Pulkundwaar, A.G.P. for respondent nos.1 & 2

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 4th March, 2022

P.C.

1. The grievance of the petitioner is that though a complaint has been formally filed seeking inquiry under Section 39 of the Maharashtra Village Panchayats Act, no steps have been taken. The proviso indicates that the Divisional Commissioner or Additional Divisional Commissioner can order the Chief Executive Officer, Zilla Parishad, to initiate such inquiry.

2. The learned Advocate for the petitioner further adds that he has gathered information that the Chief Executive Officer, Zilla Parishad

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is getting the inquiry conducted through the Block Development Officer.

3. In view of the above, this petition is disposed off with a direction to respondent no.2 Additional Divisional Commissioner, Aurangabad that if the inquiry is still not concluded by the Chief Executive Officer, Zilla Parishad, despite his communication dated 18.12.2020, the Chief Executive Officer shall complete the inquiry on or before 31.3.2022. Respondent no.2 shall further direct respondent no.3 that he will have to conduct the inquiry and there should not be delegation of the authority to the Block Development Officer.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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