

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

905 WRIT PETITION NO.2301 OF 2023

VINOD KASHINATH JADHAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.H.P.Jadhav h/f Mr.A.K.Tiwari, Advocate for the Petitioner.
Mr.V.M.Kagne, AGP for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : FEBRUARY 28, 2023

PER COURT :

1. This is yet another example of a competent Scrutiny Committee, defying the directions of this Court.

2. The Petitioner was before us in WP No.5847/2022, for a mistake committed by the Authorities in mis-spelling Tokre Koli. The entire file of the Petitioner was closed and he was directed to bring a corrected certificate. Feeling troubled by the act of such Committee, he had approached this Court. By order dated 14.07.2022, we had directed the authorities to issue the corrected certificate and thereafter,

we directed the Committee to decide the claim of the Petitioner on or before 28.02.2023. On the date of appearance, the Petitioner presented an exhaustive genealogy / family tree on 22.08.2022. We are now informed that the Vigilance Cell is yet to complete its enquiry.

3. We have earlier directed the State Government as well as all the competent committees in the State that in such time bound matters, if they can not conclude the proceedings within the time frame, they should approach this Court and seek extension of time and should not compel the claimant to indulge in litigation. The Petitioner has approached us with this petition since the protection of his service was till today. The Committee was in deep slumber. Yesterday, when this matter was heard and we orally expressed a view that we would impose heavy costs on the members of the Committee for not following our directions in the light of several such orders passed by this Court earlier, that the Committee woke up and we are informed that they are in the process of filing a civil application today. This is purely an eye wash. This was an appropriate case for imposing costs on the Committee Members.

4. The learned AGP representing the Committee submits that within one month, the proceedings would be concluded. We wonder as to how we should rely on such statement, since the Vigilance Cell enquiry is yet to be completed and 14 days statutory period is to be granted to the claimant to submit his written submissions on the notice the Committee's report. Thereafter, the Committee would pass / deliver it's order.

5. In view of the above, this petition is disposed off, extending time to the Committee to complete the proceedings and deliver it's order until 31.05.2023. We are issuing a **warning** to all the Committee members namely Mr.Girish Sarode, Joint Commissioner, Mr.Dinesh Tidake, Dy.Director and Mrs.Sunita Pusalkor, Research Officer for not following the order of this Court. We direct the learned Registrar (Judicial), to place a copy of this order before The Commissioner, Tribal Research and Training Institute, Pune, so as to enter this **warning** in the service books of these officers.

6. Needless to state, the protection granted to the service of the Petitioner would be extended until a period of 15 days after the

pronouncement of the order of the Committee or until 15.06.2023,
which ever is earlier.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)