

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

919 WRIT PETITION NO.6281 OF 2023

Madan s/o Pralhadrao Kadam
Age 55 years, Occ. Service,
R/o. Jijaunagar, Visawa Corner,
Jintur Road, Parbhani, Dist. Parbhani. ... **Petitioner.**

VERSUS

- 1) The State of Maharashtra.
- 2) The Divisional Commissioner & Chairman,
Divisional Promotional Committee,
Aurangabad Division, Aurangabad.
- 3) The Chief Executive Officer,
Z.P. Parbhani, Tq. & Dist. Parbhani ... **Respondents.**

...

Advocate for Petitioner : Mr. Shelke Avishkar S.
AGP for Respondents/State : Mr. S.B. Pulkundwar
Advocate for Respondent No. 3 : Mr. B.A. Shinde

**CORAM : MANGESH S. PATIL &
S. G. CHAPALGAONKAR, JJ.**

DATE : 15.06.2023

PER COURT :

Heard the learned advocate for the petitioner, the learned A.G.P and the learned advocate Mr. Sinde for the respondent No. 3.

2. The only issue involved in the matter is merely because a crime has been registered but still there is no charge-sheet and the Magistrate has not taken the cognizance, a 'sealed cover procedure' as prescribed in the matter of **Union of India, etc. Vs. Jankiraman etc.; AIR 1991 Supreme Court 2010** and as per the Government resolution dated 15.12.2017 could have been followed.

3. The petitioner has already made a representation to the respondent

No. 1 on 10.05.2023 which is still under consideration.

4. In our view, the purpose of the petition would be served by directing the respondent No. 1 to take appropriate decision on the petitioner's representation.

5. The Writ Petition is allowed. The respondent No. 1 shall take appropriate decision on petitioner's representation dated 10.05.2023 (Exh. 'K') as expeditiously as possible and in any event within four weeks from today. If it is not available with the respondent No. 1, 'Exhibit 'K' shall be treated as that representation.

(S. G. CHAPALGAONKAR, J.)

(MANGESH S. PATIL, J.)

mkd/-