

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

WRIT PETITION NO. 11043 OF 2023

**KHAN ALFIYA AKRAM KHAN AKRAM
VERSUS**

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND ANOTHER

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Advocate for Petitioner : Mr. Nagarkar Kiran M.
AGP for Respondent No.1 and 2 : Mr. S. B. Yawalkar

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 5 SEPTEMBER 2023

PER COURT :

1. In spite of the fact that by the order dated 17.03.2023 and 31.07.2023, this Court in successive petitions had directed the Committee to decide the petitioner's proposal expeditiously and even the stipulated time was extended from time to time latest up to 02.09.2023, the petitioner has to file this petition third time seeking a similar direction.
2. The learned AGP on written instructions from the Committee dated 05.09.2023 which he places on record, once again requests for time.
3. In the normal course, this Court is loath in seeking to initiate any

proceedings in contempt against the authorities exercising quasi judicial powers simply because of their inability to decide the proceedings as directed by this Court within the stipulated time. However in our considered view, this seems to be a matter where we may have to deviate.

4. As can be seen from the written instructions received from the Committee, the Committee has already formed an opinion that the petitioner's claim is doubtful. It also now has formed an opinion that the vigilance report is not up to their expectation and another enquiry is necessary. They have also observed by noticing that the documents produced by the petitioner are in urdu and the members of the Committee do not understand urdu. There are several validities in the family of the blood relations. It is only after the petition is filed, without there being any earlier request for extension of time, a request is made in this communication seeking further time of three months to decide the proposal.

5. At this juncture, the learned AGP on further instructions submits that the Committee would decide the petitioner's proposal within eight days.

6. It is important to note that it is only after we started the dictation expressing that we will be taking the matter seriously and would be issuing a notice for the contempt that these further instructions are

coming, in all probability to obviate the consequences. We strongly deprecate the conduct of the Committee members.

7. We accept the statement now being made as an undertaking to the Court and dispose of the writ petition by expecting and directing the Committee to pass the final order within one week.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

Najeeb.