

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

WRIT PETITION NO.11636 OF 2023

**OM BHAGWANRAO ANJANWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY**

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Advocate for the Petitioner : Shri Thorat Chandrakant R.
AGP for Respondents 1 and 3/State : Shri P.S. Patil
Advocate for Respondent 2 : Ms. Yogita Thorat
Advocate for the then CEO, ZP, Nanded : Shri S.S. Thombre

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**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRADE, JJ.**

DATE :- 08th November, 2023

Per Court :-

1. Pursuant to our order dated 27.09.2023, we had issued a notice to the present District Collector, Latur, to show cause why Contempt of Court proceedings should not be initiated against her. She was the erstwhile Chief Executive Officer, Zilla Parishad, Nanded and presently, the Collector, Latur. The issue is as regards the violation of the order of the High Court while she was the Chief Executive Officer, Zilla Parishad, Nanded.

2. She has tendered an unconditional apology dated 05.11.2023 supported with a verification stating therein that the

Petitioner's service was terminated out of misreading of the order of the Court dated 22.07.2022.

3. The learned Advocate for the Petitioner has tendered an affidavit undertaking dated 08.11.2023 by which, the Petitioner makes a statement that he has no grievance against the then Chief Executive Officer, Zilla Parishad, Nanded. The affidavit undertaking is marked as "X-1" for identification.

4. The learned Advocate for the Petitioner submits that the explanation of the said officer may be accepted and the Petitioner has no grievance. He further prays that because of his termination, he has not been paid salary for three months.

5. The learned Advocate for the Zilla Parishad, Nanded, submits on instructions that since the termination order has now been recalled and the Petitioner has been reinstated, the salary from the date he was ousted till the date of his joining, would be calculated and would be paid to him.

6. The learned Advocate for the Petitioner submits, on instructions, that the Petitioner is satisfied.

7. In view of the above, the affidavit dated 05.11.2023 filed by the present Collector, Latur, is accepted.

8. **The Writ Petition is disposed off** with the following

directions:-

(a) We direct the competent Committee to decide the pending claim of the Petitioner, on or before 29.02.2024. The Petitioner would render wholehearted cooperation and will not seek an adjournment on unreasonable or trivial ground, lest, the Committee would be justified in progressing to the further stages in the proceedings.

(b) The Respondent/ Zilla Parishad would not terminate the services of the Petitioner until 29.02.2024 or till the date the Committee decides his claim, whichever is earlier.

(c) The Petitioner shall file an affidavit undertaking in this Court and a copy to the Employer, within 21 days, stating therein that the Petitioner would not claim any increment/ promotion/ pay fixation/ service benefits, etc. until his claim is validated.

(d) On the condition of filing the affidavit undertaking as above, if an adverse order is passed by the Committee, the same shall not be effected for a period of four weeks as the affidavit undertaking would continue to bind the Petitioner.