



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9277 OF 2013

Jafar Ullaha Khan S/o Almas Khan

VERSUS

The State Of Maharashtra And Others

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Advocate for the Petitioner : Mr. U.R. Awate h/f Mr. Talekar S.B.

AGP for Respondent/State : Mr. A.S. Shinde

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CORAM : S.G. MEHARE, J.

DATED : JANUARY 18, 2024

PER COURT:-

1. Heard learned counsel for the petitioner and learned AGP for the State.
2. This petition is pending since 2012. There were no interim orders. The order imposing a penalty of Rs.1,04,92,800/- was confirmed by the Additional Divisional Commissioner, Aurangabad by order dated 09.07.2012 has been impugned. Since then the matter is pending.
3. This Court directed the petitioner to take instructions whether the penalty is deposited. However, as usual, it is replied that he could not contact the petitioner. However, he contacted the referring lawyer, he informed him that the petitioner is not in his contact.
4. Since a huge amount of the Government is involved, the learned AGP was requested to take the instructions from the office of

the Sub-Divisional Officer, Degloor now Biloli. The learned AGP tried to contact the Sub-Divisional Officer, Biloli but he did not receive the phone. He sent him a message, but it is also yet not attended. He also contacted the law officer at Tahsildar Office, Biloli. The law officer informed him that the record is not traceable. It appear that no diligence has been shown by the Government servants in getting such financial matters disposed of at the earliest.

5. Now, the counsel for the petitioner would submit that against the impugned order, the appeal is a remedy before the Government. Hence, he may be allowed to withdraw the writ petition. The petitioner is allowed to withdraw the writ petition. However, the Collector, Nanded is directed to make a thorough inquiry in the matter and verify whether such a huge fine amount of Rs.1,04,92,800/- has been recovered or not. If any employee found negligent, take appropriate action against all such employees.

6. Since the petition is withdrawn, it is disposed of.

(S.G. MEHARE, J.)