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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

**29 WRIT PETITION NO. 9796 OF 2024**

FEROZ KHAN AKBAR KHAN  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND  
OTHERS

Mr.A.K.Gawande h/f Mr.M.A.Golegaonkar, Advocate for the Petitioner.  
Mr.M.M.Nerlikar, AGP for the Respondent/State.

( CORAM : RAVINDRA V. GHUGE AND  
Y.G.KHOBRADE, JJ.)

**DATE : SEPTEMBER 12, 2024**

PER COURT :

1. The learned Advocate for the Petitioner is apologetic that at some places, it is mentioned that the Petitioner belongs to the Mannervarlu Scheduled Tribe Category. He actually belongs to the Tadvi Scheduled Tribe Category.

2. The learned AGP makes a serious grievance that on last 7 consecutive dates, either the Petitioner has remained absent or has sought an adjournment. On 3 occasions, he has asked for the Vigilance Cell Enquiry Report, which is already served upon him, on 10.05.2023.

He, therefore, prays that this Petition be dismissed.

3. The learned Advocate for the Petitioner tenders an apology from the Petitioner stating that he changed the residential address and has not informed the Committee about the changed address in writing. He, however, concedes that he has received the Vigilance Cell Enquiry Report (7 pages). He assures the Court that the Petitioner would appear before the concerned Committee on 26.09.2024 at 11.30 a.m. He would tender the written notes of submissions to the report as well as in support of his contentions. He would not seek an adjournment and after 26.09.2024, the Committee can close the matter for judgment.

4. In view of the above, having recorded the submissions made, **this Writ Petition is disposed off** with the following directions :-

[a] The hearing in the Petitioner's matter would take place before the Committee on the above scheduled date and time.

[b] If the Petitioner does not remain present before the Committee upto 12.30 p.m. on the said date, the Committee shall close the file for judgment and thereafter, the Petitioner shall not be heard.

[c] If the Petitioner participates in the hearing as per the schedule,

the Committee would close the matter after the hearing. The oral submissions as well as written notes tendered by the Petitioner would be taken into account and a final order shall be delivered on 14.11.2024. The order shall be uploaded on the official website of the Committee.

[d] The Petitioner shall download the copy from the official website.

[e] Considering the conduct of the Petitioner, if the claim of the Petitioner is validated, he would be entitled to participate in any future promotional procedure for a promotional post.

( Y.G.KHOBRADE, J. )

( RAVINDRA V. GHUGE, J.)