



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 WRIT PETITION NO. 10269 OF 2024

DATTATRAY BABURAO SHINDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND ANOTHER

...
Advocate for petitioner : Mr. S.C. Yeramwar
AGP for the respondent – State : Mrs. S.S. Joshi
...

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

DATE : 09 OCTOBER 2024

PC :

On the last date i.e. 20 September 2024, we had passed
the following order:-

“ *Heard.*

2. *The case demonstrates a sorry state of affairs in the working of the respondent-scrutiny committee constituted under the Maharashtra Act XXIII of 2001.*

3. *A common vigilance enquiry was conducted in the matter of six individuals. However, the committee decided proposals of three out of those six individuals by a separate judgment. For the reasons best known to the committee or, if we may embolden to state for extraneous reasons. When the committee could have, by the very same judgment and order, decided the proposals of rest of the three individuals including the petitioner easily, their matters have been held back. This is nothing but clear abdication of the public duty. When the committee could have easily saved its own time as also the time of the petitioners and this Court, they have indulged in such mischief.*

3. *The very fact that the committee could allow a common vigilance enquiry to be undertaken in respect of six individuals, obviously there would be common material for or against the claims. Still, the committee has mischievously decided the*

proposals of the other three individuals, resulting in sheer waste of precious time of the public office and this Court.

4. *Let all the members of the committee file affidavits addressing the issue in the light of the above observation, within a week.*

5. *As far as petitioner's proposal is concerned, the petitioner shall appear before the committee on 23.09.2024 and the committee shall thereafter pass final order on or before 27.09.2024.*

7. *The affidavits shall be filed by 27.09.2024."*

2. Pursuant to the directions, the three members of the committee have filed affidavits though they have tendered apology and have assured about their future conduct, conspicuously, the affidavits do not address our observation and the inference about they having indulged in such misdemeanor for some extraneous reasons.

3. Hoping that good sense would prevail and still, in order to pinch them, we dispose of the petition by imposing costs of Rs.1000/- (Rs. One Thousand), to be paid by each of these members from their own pockets, to be deposited in this Court within one week.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/