



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1015 WRIT PETITION NO. 1174 OF 2023
MAHESH HANUMANT CHAVAN

VERSUS

THE STATE OF MAHARASHTRA DEPARTMENT OF TRIBAL DEVELOPMENT
AND ANOTHER

...

Advocate for the Petitioner : Mr. Yeramwar Sushant C.

AGP for Respondents : Mr. P.S. Patil

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

DATE : 20.06.2024

PER COURT :

Heard both the sides finally at the stage of admission.

2. We are inclined to remand the matter for decision afresh by the respondent-scrutiny committee for the sole reason that though the vigilance enquiry was conducted, its report was allegedly not provided to the petitioner, nor was he able to file any reply and still the committee proceeded to decide the claim.

3. If there was no urgency as such, we fail to understand as to why the committee could not have solicited a reply from the petitioner before proceeding to decide the proposal.

4. Be that as it may, the impugned judgment and order is quashed and set aside to the extent of the petitioner. The petitioner shall appear before the committee on 01.07.2024. The committee shall serve him a copy of the report of the vigilance and by extending him an opportunity thereafter to file a reply, the committee may proceed to decide his claim as expeditiously as possible and in any case within six months from today.

(SHAILESH P. BRAHME, J.)

mkd/-

(MANGESH S. PATIL, J.)