

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8662 OF 2024

Tushar Dilip Saindane ... Petitioner
versus
The State of Maharashtra and Others ... Respondents

**WITH
WRIT PETITION NO. 8663 OF 2024**

Rahul Ganesh Chaudhari ... Petitioner
versus
The State of Maharashtra and Others ... Respondents

**WITH
WRIT PETITION NO. 8664 OF 2024**

Rohit Nago Dhangar ... Petitioner
versus
The State of Maharashtra and Others ... Respondents

**WITH
WRIT PETITION NO. 8665 OF 2024**

Sanjay Ananda More ... Petitioner
versus
The State of Maharashtra and Others ... Respondents

WRIT PETITION NO. 8666 OF 2024

Sandip s/o. Shravan Wankhede ... Petitioner
versus
The State of Maharashtra and Others ... Respondents

**WITH
WRIT PETITION NO. 8667 OF 2024**

Valmik Raghunath Chaudhari ... Petitioner
versus
The State of Maharashtra and Others ... Respondents

**WITH
WRIT PETITION NO. 8668 OF 2024**

Ashok Shravan Vinchu	...	Petitioner
versus		
The State of Maharashtra and Others	...	Respondents

**WITH
WRIT PETITION NO. 8669 OF 2024**

Sandeep s/o. Sureshrao Kamle	...	Petitioner
versus		
The State of Maharashtra and Others	...	Respondents

**WITH
WRIT PETITION NO. 8670 OF 2024**

Vinod Sureshrao Kamble	...	Petitioner
versus		
The State of Maharashtra and Others	...	Respondents

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Mr.Nitin Gaware Patil with Mr.Divyesh Jain for the Petitioner in all Writ Petitions.

Mr.A.K.Naik, AGP for Respondent Nos. 1 to 4- State in WP No. 8662 of 2024.

Mr.Aditya Deolekar, AGP for Respondent Nos. 1 to 4-State in WP No. 8663 of 2024.

Mr.V.M.Mali, AGP for Respondent Nos. 1 to 4- State in WP No. 8664 of 2024.

Mr.S.B. Kalel, AGP for Respondent Nos. 1 to 4- State in WP No. 8666 of 2024.

Mr.V.G.Badgujar, AGP for Respondent Nos. 1 to 4- State in WP No. 8668 of 2024.

Mr. K.S. Thorat, 'B' Panel Counsel for Respondent Nos. 1 to 4- State in WP No. 8665 of 2024.

Ms.A.A.Purav, AGP for Respondent Nos. 1 to 4-State in WP No. 8669 of 2024.

Ms.R.A.Salunkhe, AGP for Respondent Nos. 1 to 4- State in WP No. 8670 of 2024.

Ms.N.M.Mehra, AGP for Respondent Nos. 1 to 4-State in WP No. 8667 of 2024.

Mr.Ashwin R. Kapadnis for Respondent No.5 in all Writ Petitions.

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**CORAM : RAVINDRA V. GHUGE &
M.M. SATHAYE, JJ.**

DATE : 9TH OCTOBER, 2024

P.C.:

1. We have considered the submissions of the learned Advocates for the respective sides in the light of the order of this Court dated 21st June, 2024 delivered at the Aurangabad Bench in **Writ Petition No. 5505 of 2024 and a group of cases (Anil Pandit Patil Versus The State of Maharashtra and Others)**. We are also informed that, by making a reference to the said order, the Divisional Commissioner Office, Nashik Division, Nashik has issued notices to show cause, dated 21st August, 2024 to these Petitioners. A copy of the Special Investigation Team (SIT) report has been served upon these Petitioners.

2. Apparently, the above action is in view of the directions of this Court in Anil Pandit Patil (supra), set out in paragraph 7, which reads as under :

“7. In view of the above, all these Petitions are partly allowed. The impugned notices / orders of termination, stand quashed and set aside with the following directions:-

(a) The Competent Committee, as prescribed in clause 10, would issue notices to the persons whose names are mentioned in the SIT report or those persons who are noticed by the respective Zilla Parishads, to be ineligible for appointment as per the conclusions of the SIT report, irrespective whether their name has or has not appeared in the report directly, so as to be heard by the Committee in pursuance to such notice of hearing.

(b) The Petitioners would appear before the Committee in terms of the notices received by them. We permit such individuals to tender their written submissions, if desired.

(c) After such hearing is concluded, the Committee shall refer to the material available with reference to the individual employees and their written submissions/material placed before the Committee by such employees and draw an appropriate conclusion. Thereafter, the Committee shall issue appropriate orders. If any person is aggrieved by such order, he/she would be at liberty avail of a remedy as is permissible in law.

(d) Since the impugned orders are set aside, those candidates/Petitioners who have been terminated from service, shall be deemed to be reinstated with continuity along with back-wages.

(e) Considering the request of all the litigating parties before us, this exercise should be completed expeditiously or within 180 days, to be computed with effect from 01.07.2024, since the Petitioners are also suffering anxiety and rigors of litigation.

(f) The Petitioners assure us that they would render whole hearted cooperation and would not make attempts to delay the matter as they are also interested in an early resolution of this issue.

(g) In the event, the Committee or the State Authorities find that they are short of time, they are at liberty to move an application through the office of the Government Pleader, for seeking extension”.

3. In view of the above and in the light of the order passed in Anil Pandit Patil (supra), **all these Writ Petitions are partly allowed.** The impugned notices and orders of termination are quashed and set aside in view of the directions under paragraph 7 (a to g) reproduced above. Needless to state, the said directions would squarely apply to the cases of each of these Petitioners.

4. Now that show cause notices along with copy of the SIT Report, have been served upon the Petitioners, the Respondent

employer/ authority is at liberty to complete the exercise as directed in paragraph 7 (e), within a period of 180 days from the date of issuance of the notices dated 21st August, 2024. Needless to state that, the directions in paragraph 7 (d), would bind each of the Petitioners.

(M.M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)