

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD.

902 WRIT PETITION NO.3497 OF 2020

Atul Pandit Chormare

..Petitioner

Versus

The State of Maharashtra and Others

..Respondents

.....  
Shri. Sujeet D. Joshi, Advocate for the Petitioner  
Shri. A. R. Kale, Addl. G. P for the Respondent / State.  
.....

CORAM : R. G. AVACHAT AND  
NEERAJ P. DHOTE, JJ.

Dated : JULY 29, 2025

**PER COURT :-**

. Heard learned Advocate for the Petitioner, learned Addl. G. P for the State and learned Advocate for Respondent No.3.

2. The Petitioner was working as the Sub Divisional Officer of Sengaon, Dist. Hingoli from 08.06.2018. The recruitment to the post of Police Patil was conducted by the Competent Authority. In the said recruitment process, the Respondent No.3 got appointment as the Police Patil. The Respondent No.2 had challenged the said appointment of Respondent No.3 before the learned Maharashtra Administrative Tribunal by filing Original Application No.502/2018 which came to be allowed and the appointment of the Respondent No.3 as the Police Patil came to be set aside by the order dated 20.03.2019. The present Petitioner being the Sub Divisional Officer of the said Division, in which the said recruitment of Police Patil was undertaken, had filed his Reply Affidavit in the said O.A. before the learned Tribunal. In paragraph no.6 of his Affidavit-in-Reply he has stated as under :

*“6. As regards to the contents of Para No. 6 (a) of the Original Application, I say and submit that the respondent no. 2 issued an advertisement dated 06/12/2017 thereby inviting the online applications from the eligible candidates for the post of Police Patil of different villages of Hingoli Sub Division including village Khandala Tq. And Dist. Hingoli. The minimum qualification for the post of Police Patil was required 10TH (S.S.C.) pass. It is further submitted that, the written test of the candidates have be taken without verifying the original documents and the eligible candidates have been called for interview subject to the documents verification. Therefore, it is not necessary for the candidates to hold or posses the Non-Creamy Layer Certificate on the date of filing online application.”*

3. The learned Tribunal in paragraph no.29 and 30 of the impugned

Order observed as under:

*“29. Issue notice of show cause to Shri Atul Pandit Chormare, Sub Divisional Officer, Sengaon, Tq. Sengaon, Dist. Hingoli, returnable on 2.4.2019 to show cause as to why action for perjury & also for contempt should not be taken against him on account of his filing affidavit dated 18.9.2018 copy whereof is at Page 35 to 39 of present O.A., which is contrary to record and is false as well as misleading well within his own knowledge.*

*30. Learned C.P.O. is directed to secure latest address of Shri Atul Pandit Chormare, Sub divisional Officer, Sengaon, Tq. Sengaon, Dist. Hingoli and serve on him the notice as well serve on him intimation of this notice.”*

4. The Petitioner had filed his response to the said Show Cause Notice and thereafter, the Show Cause Notice of perjury and contempt in the prescribed format was issued against the Petitioner, the copy of which is at page Nos.62 and 63 to the Petition. Hence this Petition is filed under Article - 226 of the Constitution of India.

5. The Petition is filed challenging the observations made by the learned Tribunal in the above paragraphs. *Vide* order dated 03.03.2020 this Court had granted *ad interim* stay to the order of the learned Tribunal. Since the learned Tribunal has not given its final verdict in

respect of perjury and contempt and only issued the Show Cause Notice in the format, we are not inclined to interfere in the same at this stage as the Petitioner has an opportunity to file his Reply / Response to the said Show Cause Notice. Therefore, we dispose off the Writ Petition by the following order.

O R D E R

(i) The Petitioner may file his Reply / Response to the final Show Cause Notice for perjury and contempt issued by the learned Tribunal.

(ii) As the impugned order of the learned Tribunal was stayed by this Court, in the event of any Coercive order against the Petitioner pursuant to the said Show Cause Notice, the same shall remain stayed for a period of eight (8) weeks from the date of order.

(iii) The Petitioner would be at liberty to move an appropriate Application before the learned Tribunal in respect of imposition of cost of Rs.25,000/- (Rs. Twenty Five Thousand) on him in the order dated 20.03.2019.

(iv) The Writ Petition stands disposed off.

( NEERAJ P. DHOTE, J. )

( R. G. AVACHAT, J. )