



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

925 WRIT PETITION NO. 11962 OF 2025

Sairaj Sahebrao Zupde

VERSUS

State Of Maharashtra Through Its Secretary And Another

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Mr. Ramchandra K. Mendadkar, Advocate for the Petitioner

Ms. R. P. Gour, AGP for Respondents/State

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CORAM : R. G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.

DATED : SEPTEMBER 30, 2025

P.C.:

1. Leave to amend. Amendment to be carried out forthwith.
2. After having heard the learned Advocate for the petitioner and learned AGP for Respondent/State, it was revealed that the Vigilance Cell Enquiry Report was not served to the petitioner to call upon him to explain the adverse material collected during the said enquiry. The said report was obtained by Respondent No.2-Committee after it closed the matter reserving for orders. Under the Rules, it is mandatory for Respondent No.2-Committee to serve the Vigilance Cell Enquiry Report to the petitioner/applicant and call upon him to explain the adverse circumstances disclosed during said enquiry. Since the same has not been done in the case, a prejudice has been caused to the petitioner. The matter therefore needs to be remitted back to Respondent No.2-Committee for deciding the claim of the petitioner

afresh. In the result the petition partly succeeds. Hence, the following order :

: ORDER :

- i. Impugned order dated 18.09.2015 passed by Respondent No.2-Committee is quashed and set aside.
- ii. The matter be remitted back to Respondent No.2-Committee. Respondent No.2-Committee shall complete the enquiry and decide the matter within a period of six weeks from the date of receipt of copy of this order.
- iii. Writ Petition stands disposed of.

[ABASAHEB D. SHINDE, J.]

[R. G. AVACHAT, J.]