



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO. 15688 OF 2025

SHAIKIL AHAMAD MOHAMMAD MUSA PATEL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mrs. Laxmi R. Thakur, Advocate for petitioner

Mr. S.B. Narwade, AGP for respondent No.1

Mr. V.V. Gujar, Advocate for respondent Nos.2 and 3

...

CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 06th JANUARY, 2026

ORDER :

. Heard learned Advocate for petitioner. Learned AGP waives notice for respondent No.1 and learned Advocate Mr. V.V. Gujar waives notice for respondent Nos.2 and 3.

2 Learned Advocate for respondent Nos.2 and 3 was directed yesterday to take instructions and thereupon he has produced documents, wherein it appears that the employee against whom the petitioner had

grievance viz. Gautam Adharwade, Village Development Officer was required to face the inquiry. Report was submitted by Committee on 27.08.2020. When it was found *prima facie* that from Gram Nidhi and 14th Financial Commission irregularity of in all amount of Rs.35,23,014/- has been committed, thereafter said Mr. Gautam Adharwade was charge sheeted. It appears that he gave his say on 08.02.2021 partially accepting that he had not deposited the amount received towards the Gram Nidhi and water charges and he has spent it. According to him, he has utilized or spent that amount towards development expenses and it is done by him as well as the Sarpanch of village. By order dated 07.05.2021 it appears that minor punishment has been imposed of censure. Thereafter, it appears that he has been now promoted and placed in the same taluka.

3 The petitioner had filed the present petition for initiation and completion of the comprehensive inquiry and disciplinary action for recovery of amount of Rs.35.85 lakh against said Mr. Gautam Adharwade. It appears that purpose of petitioner has been served, in a sense that the inquiry is completed and even punishment has been imposed. We were surprised with the fact that even after promotion he has been placed in the same taluka by respondent No.2. When respondent No.2 had come to the conclusion that *prima facie* the said person is at fault, then even after promotion whether it

would have been proper to place him at the place which is having jurisdiction over the same village in the taluka. Of course, it is within the powers of respondent No.2 and on that point learned Advocate for respondent Nos.2 and 3 submits that respondent No.2 would take appropriate decision. In view of the said statement we dispose of the writ petition.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

agd