

1. Mr. Shelke, learned counsel appearing for respondent-Election Commission points out that disqualification incurred is referable to section 14 (1) (j-4) of the Maharashtra Village Panchayats Act, 1958 and as such, under Section 16 of the Maharashtra Village Panchayats Act, remedy of appeal is provided.
2. In view of the same, I am not inclined to entertain the writ petition. Writ Petition, as such, stands rejected. Petitioner is at liberty to approach appellate authority.

3. Needless to mention that election, if any, would be subject to out come of the decision in the appeal.
4. While considering the delay in filing appeal pursuant to section 16(2) of the Maharashtra Village Panchayats Act, the appellate authority may consider the duration of pendency of the writ petition for condonation of delay.
5. Writ petition stands disposed of accordingly.

Sd/-

(SUNIL P. DESHMUKH, J.)

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Learned counsel for petitioner submits that there is no appellate remedy available as is assumed available under Section 16 of the Maharashtra Village Panchayat Act. He further points out that affidavit as has been directed by this court under order dated 12-03-2015 has not been yet filed. He further submits that the elections are being held under election programmed declared on 30-03-2015 which have been to have been fallen vacant to alleged challenge to disqualification of the petitioner. He further submits that election programme itself is bad and there is no compliance of requisite provisions of Section 14B of declaration of incurring disqualification in the Government Gazeete.