

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

WRIT PETITION NO. 5676 OF 2015

Bashir s/o Babasaheb Jahagirdar	...	Petitioner
V/s.		
The State of Maharashtra & ors.	...	Respondents

Mr. Shivprasad Jadhav i/b. Mr. A.P. Sangvikar for the petitioner.
Mr. P.P. Kakade, AGP for the State.

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

20th October, 2015.

P.C.

Heard learned Counsel for the parties.

2. The petitioner's grievance is that on the report submitted to Dy. Commissioner, Pune Region, Pune dated 11th March, 2015 by Chief Executive Officer, Zilla Parishad, Solapur against some members of Temburni Gram Panchayat, the Commissioner ought to have taken a final decision in accordance with provisions of Section 39 of the Maharashtra Village Panchayat Act. It is submitted that the report was submitted in March 2015 but the Commissioner has failed to take any decision on the same.

3. The matter was adjourned on request of learned AGP for taking

instructions in respect of subject matter of this petition.

4. Learned AGP Shri Kakade on instructions submits that Divisional Commissioner would pass final order on the said recommendation made by the Chief Executive Officer within a week's time on its own merits.

5. We accept the statement made by the learned AGP Shri Kakade. At the same time we direct the Divisional Commissioner/Dy. Commissioner that such references which are made and are kept pending with the Divisional Commissioner's office shall be disposed of at the earliest so that the purpose of the enactment is not defeated. We direct the Divisional Commissioner to pass appropriate orders.

6. With aforesaid directions, writ petition is disposed of. The Registry is directed to communicate the order to all concerned, forthwith.

(S.B. SHUKRE, J.)

(NARESH H. PATIL, J.)