

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (STAMP) NO.17973 OF 2015

Mr. Subhash Dagadchand Lodha.] ... Petitioner

Versus

The State of Maharashtra and Ors.] ... Respondents

Mr. A. M. Kulkarni i/b D. D. & Abhijit Associates for Petitioner.

CORAM :- M. S. SONAK, J.

DATE :- SEPTEMBER 07, 2015

P. C. :-

1. There is no necessity to entertain the present petition which merely seeks a stay on the disqualification during the pendency of appeal before Respondent No.6. The stay was declined by the Respondent No.6 and thereafter the Petitioner's appeal before the State has also been dismissed.

2. The Petitioner was disqualified on 17/10/2014. The Petitioner has instituted an appeal before the Respondent No.6 on 28/10/2014.

3. In the aforesaid circumstances, it would be appropriate if

the Respondent No.6 is directed to dispose of the pending appeal as expeditiously as possible and in any case, within a period of six weeks from today. However, for a period of six weeks from today, no bye-elections shall be held to fill in the post of at Ward No.7-D, Barshi Municipal Council.

4. The Petitioner to cooperate in the matter of expeditious disposal of the appeal. In case, the Petitioner does not cooperate, the Respondent No.6 shall be at liberty to vacate the limited interim protection granted by this order.

5. Needless to add that the appeal is to be disposed of in accordance with law and on its own merits and after affording all parties opportunity of hearing.

6. In disposing of the appeal, the Respondent No.6 need not be influenced by any observations made at the stage of declining the interim relief to the Petitioner.

7. With the aforesaid observations, this petition is disposed of.

(M. S. SONAK, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed
Order.