

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

905 CRIMINAL WRIT PETITION NO. 1040 OF 2016

VIJAY KACHESHWER VAHADNE
VERSUS
THE DIVISIONAL COMMISSIONER AND OTHERS

...
Advocate for Petitioner : Borde Kishorkumar B
APP for Respondents: S.P. Sonpawale
...

CORAM : T.V. NALAWADE, J.
DATED : 12th August, 2016.

ORDER :

1. It appears that appeal is still pending before the Commissioner, delegate of the State Government. In the present proceeding, request is made only for giving permission to attend the Gramsabha and Village Panchayat meeting which are due on 15th August 2016 and 14th August 2016. It appears that the Divisional Commissioner and Sub Divisional Officer have not given permission and one application filed for such permission before Sub Divisional Officer dated 27.7.2016 is still pending. The learned counsel for petitioner makes a statement that Sub Divisional Officer is not showing urgency to decide the matter and as only few days are left, he has rushed to this Court. He placed reliance on the case reported as **2014 ALL MR (CRI) 1727 [Nilesh s/o. Govind Aarde Vs. State of Maharashtra and Ors.]**.

2. Notice was given to the learned APP and he was also heard. In view of the nature of relief claimed and as he will lose membership of Village Panchayat of which he is member, if he does not attend the meeting, the relief of attending the meeting needs to be granted.

3. In the result, petition is allowed. Petitioner is allowed to attend the meeting of Village Panchayat dated 14.8.2016 and Gramsabha dated 15.8.2016. For that, he is to first go to the concern police station i.e. Rahata Police Station. He has to show the record of notices received by him of aforesaid two meetings and then only police to take him to place of meeting. When the purpose is over, he is to be taken out of Tahsil as per the externment order made by Sub Divisional Officer. The expenses of conveyance and escort are to be born by the petitioner. The expenses are to be deposited in advance in police station. The petition is disposed of in aforesaid terms.

4. Authenticated copy is allowed.

[T.V. NALAWADE, J.]

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