

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

WRIT PETITION NO.4852 OF 2016

Mr. Sanjay Sayaji Pawar

.. Petitioner

Versus

Smt. Asha Shilawat and others

.. Respondents

Mr. R. N. Gite, for the Petitioner.

Mr. S. D. Rayrikar, AGP for the Respondent Nos.2 & 7.

CORAM : R.M. SAVANT, J.

DATE : 29th APRIL 2016

PC.

1. The writ jurisdiction of this Court is invoked against the order dated 25.08.2015 passed by the Hon'ble State Minister (Rural Development), by which order, the order dated 14.08.2015 passed by the Divisional Commissioner, Nashik Division, Nashik, disqualifying the Petitioner under Section 39(1) of the Maharashtra Village Panchayats Act came to be stayed. The said order has been passed in the Appeal filed by the Respondent No.1 against the said order dated 14.08.2015 disqualifying him. In terms of Section 39(3) of the Maharashtra Village Panchayats Act, such an Appeal has to be decided within a period of one month from the receipt thereof. In the instant case, period of eight months have elapsed, but the Appeal has not been decided. In my view, therefore,

without interfering with the impugned order granting stay, however by issuing a direction to the Hon'ble State Minister (Rural Development) to dispose of the Appeal latest by 30.06.2016, the above Petition is disposed of.

2. Needless to state that the said Appeal to be decided on its own merits and in accordance with law by giving proper opportunity to the parties.

3. The Learned AGP to communicate this order to the concerned department.

[R.M. SAVANT, J]