

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.9320 OF 2016

Sobaji Gundu Pawar. Since Deceased,
Through Smt. Tanabai Sobaji Pawar & Ors. Petitioners
V/s.

Gram Panchayat, Annapur,
Tal. Shirur, Dist. Pune & Ors. Respondents

Mr. U.P. Warunjikar for the Petitioners.

Mr. V.M. Mali, A.G.P., for the Respondent-State.

Mr. Milind Deshmukh for the Intervenor.

Mr. Rajendra Ramchandra Pol, Tahasildar, Tal.
Shirur, Dist. Pune.

CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 29TH MARCH 2016.

P.C. :

1. Heard learned counsel for the respective parties.
2. By this Petition, the legal heirs of the Original Petitioner are seeking direction to decide their Appeal filed under Section 53 of the Maharashtra Village Panchayats Act, 1959, within the stipulated time limit. The Petitioners have also prayed for stay to the notice dated 23rd March 2016 issued by Respondent No.1- Gram Panchayat.

3. Mr. Mali, learned A.G.P., on instructions of Mr. Rajendra Ramchandra Pol, Tahasildar, Tal. Shirur, Dist. Pune, who is present in the Court, makes a statement that the Petitioners' said Appeal is placed for hearing before the Additional Collector, Pune, on 5th April 2016. He also states that on the same day, it will be heard and decided. The statement is accepted.

4. In the above circumstances, in our view, the present Petition can be conveniently disposed of by directing the Additional Collector, Pune, to decide the Appeal filed by the Petitioners under Section 53 of the Maharashtra Village Panchayats Act, 1959, as expeditiously as possible and, in any case, within a period of two weeks from the date of receipt of this order. Ordered accordingly.

5. Till the decision of the said Appeal, the ad-interim order passed by this Court on 25th March 2016, shall continue to remain in operation.

6. It is expressly made clear that, we have not gone into the merits of the matter and the said Appeal shall be decided on its own merits, without being influenced by the earlier communication/orders.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]