

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION STAMP NO. 14781 OF 2016

Rekha w/o Subhash Kayasth .. Petitioner

Vs.

The State of Maharashtra and others .. Respondents

Mr.Abhijit D.Namde, for the Petitioner.

Ms.M.P.Thakur, AGP for State.

Mr.P.J.Thorat, for Respondent No.7.

**CORAM : SHANTANU.S.KEMKAR &
M.S.KARNIK, JJ.
DATE : 06th JUNE, 2016**

P.C. :

. Heard the parties through their Counsel. The grievance of the petitioner is that without giving any opportunity of hearing, by order dated 02/05/2016, the Block Development Officer, Panchayat Samiti of Nandgaon has sealed the shops No. 13 and 14. According to the petitioner, she is in occupation of the said shops since last

31 years. Learned Counsel appearing for the respondent No.7 has disputed the aforesaid position. He submits as per the resolution passed by the Gram Panchayat, shop No. 13 has been allotted in favour of Dilip Kesharchand Chudiwal and shop No. 14 has been allotted in favour of Vijay Devidas Jadhav and as such, they are entitled for possession of the same, whereas the petitioner is depriving them from taking possession of the shops allotted to them.

2. Having considered the submissions made by the learned Counsel for the parties, we find that the dispute between the parties can be resolved by the Chief Executive Officer, Zilla Parishad, Nashik. In these circumstances, without commenting upon the contentions raised by the learned Counsel for the parties, we are disposing of this Petition by directing the Chief Executive Officer, Zilla Parishad, Nashik to consider the grievance raised by the petitioner and respondents in regard to the shops in question and take appropriate decision in accordance with

law after giving due opportunity of hearing to all concerned. Let the decision be taken as expeditiously as possible preferably within a period of 2 months from the date of the appearance of the parties before the said authority. The parties to appear before the said authority on 15/06/2016. Till that date, the status quo as it exists today in regard to the position of the shops in question shall be maintained by the parties.

(M.S.KARNIK, J.)

(SHANTANU.S.KEMKAR, J.)