

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION STAMP NO.32299 OF 2016**

Smt. Baiu Shankar Waghmare

..Petitioner

Versus

**Divisional Commissioner,
Konkan Divisional Bhuvan, Belapur C.B.D.
New Mumbai and others**

..Respondents

Mr. V. N. Mali for the Petitioner.

Mr. S. D. Rayrikar, AGP for the Respondent Nos.1 & 6.

CORAM : R. M. SAVANT, J.

DATE : 30th NOVEMBER, 2016

PC.

1 The writ jurisdiction of this Court is invoked in view of the fact that the Appeal filed by the Petitioner under Section 39(3) of the Maharashtra Village Panchayats Act, 1958 (For short "the said Act"), has not been dealt with by the Appellate Authority, the Learned Counsel for the Petitioner states that the Appellate Authority i.e. the Hon'ble Minister for Rural Development was not available in view of the municipal elections which took place on 27.11.2016. In view of the fact that the municipal elections are now over and since the Petitioner has already filed an Appeal under Section 39(3) of the said Act, against his disqualification under Section 39(1) of the said Act, the Appellate Authority i.e. the State Government is directed to hear and decide the Petitioner's Appeal expeditiously. The Writ Petition is accordingly disposed of.

[R.M.SAVANT, J]