

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

**WRIT PETITION NO.13805 OF 2016**

**Shri. Anil Anant Thakur**

**..Petitioner**

**Versus**

**The Divisional Commissioner,  
Konkan Division having his office at  
Konkan Bhuvan, Belapur C.B.D.  
Navi Mumbai and others**

**..Respondents**

**Mr. A. M. Savagave for the Petitioner.**

**Mr. S. B. Kalel, AGP for the Respondent Nos.1, 2 & 5.**

**CORAM : R. M. SAVANT, J.**

**DATE : 19<sup>th</sup> DECEMBER, 2016**

**PC.**

1           The Petitioner has been disqualified under Section 39 of the Maharashtra Village Panchayats Act by order dated 15.11.2016 passed by the Divisional Commissioner, Konkan Division. Against the said order, the Petitioner has filed an Appeal before the State Government i.e. Hon'ble Minister for Rural Development, Government of Maharashtra. The Learned Counsel for the Petitioner states that the Petitioner would be satisfied if the application for stay filed by the Petitioner is directed to be disposed of within a particular time frame. Since the Petitioner has already filed the Appeal and an application for stay therein, it would be just and proper to direct the Appellate Authority i.e. Hon'ble Minister for Rural Development, Government of Maharashtra to hear and decide the

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said application latest by 15.01.2017. It would also be open for the Appellate Authority to decide the Appeal itself within the aforesaid period by giving proper opportunity to the parties. Needless to state that the contentions of the parties are kept open for being urged before the Appellate Authority. The Appellate Authority would decide the Appeal on its own merits and in accordance with law. With the aforesaid directions, the Writ Petition is disposed of.

2                Parties to act on a copy of this order duly authenticated by the Court Shirestedar.

**[R.M.SAVANT, J]**