

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO.1244 OF 2016

(Shri Rajesh Natthuji Tiwaskar and others ..vs.. The Hon'ble State Minister, Rural Development,
Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.G. Dhage, Advocate for the petitioners,
Shri H.R. Dhumale, A.G.P. for the respondent Nos.1 & 2,
Shri S.R. Deshpande, Advocate for the respondent No.4,
None for the respondent Nos.3 to 9.

CORAM : Z.A. HAQ, J.

DATED : 28-07-2016

The petitioners (members of Gram-Panchayat) filed this petition challenging the order passed by the State Government disqualifying the petitioners under Section 39 of the Maharashtra Village Panchayats Act. This Court, by the order dated 22-02-2016, accepted the submission made on behalf of the parties that the Additional Commissioner be directed to consider the application filed by the respondent No.4 afresh. The learned Advocates appearing for the respective parties submit that pursuant to the above order the Deputy Commissioner has passed an order on 06-04-2016 disqualifying the respondent No.5 (Ex-Sarpanch). The Deputy Commissioner, by the order dated 06-04-2016, has rejected the prayer of the respondent No.4 to disqualify the present petitioners.

In view of the above order the grievance of the petitioners as made in this petition does not survive.

The respondent No.4 or respondent No.5 or any other person who is aggrieved by the order passed by the Deputy Commissioner on 06-04-2016 can avail appropriate remedy available in law.

With the above observations, the petition is dismissed as infructuous. The parties to bear their own costs.

Civil Application Nos.922 of 2016 & 1633 of 2016.

In view of disposal of the petition, the civil applications have become infructuous. They are disposed accordingly.

JUDGE

adgokar

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : P.M. Adgokar.

Uploaded on : 29-07-2016.

P.A. to Hon'ble Judge.