

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

WRIT PETITION NO. 1619 OF 2017

Sau. Poonam Vishwas Patil ...Petitioner

VERSUS

The State of Maharashtra
and others

...Respondents

.....
Shri V.B.Patil, advocate for the petitioner
Shri V.M.Kagane, A.G.P. for respondents 1 to 5
Shri M.C.Jain, advocate for respondent no.7

CORAM : S.V.GANGAPURWALA & K.L.WADANE, JJ.

DATED : 6th FEBRUARY, 2017

ORDER :

Learned A.G.P. waives notice for
respondent nos. 1 to 5.

2. Mr. Patil, learned counsel for the petitioner submits that the petitioner was disqualified. He filed an appeal. Appeal was dismissed. Against the dismissal, Revision is filed on 17.1.2017 the petitioner was holding post of Sarpanch. Now election for the post of Sarpach

has been declared. Learned counsel submits that in case Revision of the petitioner is allowed and if the election for the post of Sarpanch is held, the position would be irreversible. As such stay be granted and direction be given to decide the Revision within a month.

3. We have heard the learned A.G.P.

4. The petitioner stood disqualified on the ground that the petitioner has third child after cut off date. Appeal was dismissed on 27.9.2016. The petitioner chose to file Revision after four months. There are concurrent findings about the petitioner having third child after the cut off date. The petitioner is not holding post of Sarpanch since April, 2016. Considering the concurrent finding of fact we are not inclined to entertain the matter.

5. The revisional authority may endeavor to decide the Revision expeditiously, preferably

within six months from today.

6. Writ Petition accordingly disposed of. No costs.

(K.L.WADANE, J.)

(S.V.GANGAPURWALA, J.)

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