

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

**WRIT PETITION NO.7026 OF 2016**

Suresh S/o Mahadu Mahor

Petitioner

Versus

The Ld. Additional Commissioner,  
Aurangabad & another

Respondents

Mr. S.T. Veer advocate for the petitioner  
Mr. S.P. Deshmukh AGP for Respondent Nos.1 & 2

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**CORAM : RAVINDRA V. GHUGE, J**

(Date : 5<sup>th</sup> July, 2017.)

**PER COURT :-**

1 I have heard the learned advocate for the petitioner and the learned AGP on behalf of the respondents.

2 The petitioner claims to be a defeated candidate in the elections to Village Grampanchayat Pohari (bk), Soyagaon, District: Aurangabad. Appeal No.107/2016 filed by the disqualified Members of the said village Panchayat is pending before the respondent No.1 at Aurangabad.

3 The grievance of the petitioner is that, after he filed his intervention application for being impleaded in the pending Appeal, respondent No.1 has passed the following order:-

*" Heard Advocate Mr.S.T.Veer. Rejected. "*

He further submits that this order dated 27.4.2016 does not indicate

application of mind and no reasons are cited.

4 Though learned AGP has tried to support the impugned order, I do not find that he could convince the Court to approve an unreasoned order, which is even cryptic in nature.

5 Considering the above, this petition is allowed only to the extent of restoring the intervention application of the petitioner presented on 16.3.2016 in Appeal No.107/2016, before Respondent No.1. The impugned order dated 27.4.2016 is quashed and set aside.

6 The appeal is said to be posted before respondent No.1 on 23.8.2017. The petitioner shall, therefore appear before respondent No.1 at 11 a.m. and will address respondent no.1 only on the intervention application. Respondent No.1 shall hear all the parties to the Appeal on the intervention application and after giving a reasonable opportunity of hearing, shall decide the intervention application by assigning reasons. Such order to be passed, shall be a reasoned order.

7 Respondent No.1 shall decide the said application as expeditiously as possible and preferably on or before the 29<sup>th</sup> day of September, 2017.

(RAVINDRA V. GHUGE , J)