

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

WRIT PETITION (ST.)NO.30550 OF 2017

Shivanand S. Andodagi .. Petitioner.
v/s.
Kumbhari Gram Panchayat
& Others .. Respondents.

Mr. M. A. Choudhari, for the Petitioner.
Mr. S. H. Kankal, AGP for Respondent-State.

CORAM: M.S.SANKLECHA, J.
DATE : 28th NOVEMBER, 2017.

P.C:-

Not on board. Mentioned. Upon mentioning, taken up on production board.

This Petition under Article 227 of the Constitution of India, challenges the order dated 20th June, 2017 passed by the Divisional Commissioner, Pune Division, Pune. By the impugned order dated 20th June, 2017, Petitioner's appeal under Section 16(2) of the Maharashtra Village Panchayats Act (the Act), upholds dis-qualification of the Petitioner under Section 14B of the Act, by dismissing the Petitioner's appeal. The breach was of failure to submit election expenses within the time and in the manner prescribed by the State Election Commission.

2 Mr. Choudhari, learned Counsel appearing for the Petitioner states the Petitioner learnt about the impugned order dated 20th June, 2017 of the Divisional Commissioner, Pune Division, Pune only on 10th

October, 2017. Thus, there is no delay in filing the present Petition. Accordingly, he seeks an ad-interim stay of the impugned order dated 20th June, 2017.

3 Mr. Kankal, learned AGP seeks time to take instructions and file affidavit in reply, if necessary. At this stage, no case for ad-interim stay has been made out in view of the fact that the impugned order is in force since 20th June, 2017.

4 At the request of the learned AGP, Petition is adjourned to 19th December, 2017. In case, State does not file any affidavit in reply, a copy of the same should be served upon the Petitioner on or before 13th December, 2017.

5 **Petition to be on supplementary board on 19th December, 2017.**

(M.S.SANKLECHA,J.)