

Ashok Yashwant Badave	...	Petitioner
Vs.		
State of Maharashtra and others	...	Respondents

CORAM : R. G. KETKAR, J.
DATE : APRIL 05, 2017

Heard Mr. Barge, learned Counsel for petitioner, Ms Nimbalkar, learned AGP for respondents No.1 and 4 to 6 and Mr. Deokar, learned Counsel for respondent No.2 at length.

3. In support of this Petition, Mr. Barge submitted that respondent No.21 had stayed the order passed by the Collector disqualifying respondents No.2 and 15 under Section 14(1)(j-3) of the Maharashtra Village Panchayats Act (for short 'Act'). He submitted that while granting stay, respondent No.21 did not give any reason and has posted the matter in the month of June, 2017. Having regard to the fact that the matter pertains to disqualification, respondent No.21 ought to have fixed the date for final hearing of the appeal.

4. The matter was heard earlier on 03.04.2017 and at the request of Ms Nimbalkar, it was adjourned till today so as to enable her to take instructions from Additional Commissioner as to within what time appeal will be decided. She submitted that Additional Commissioner will decide the appeal within four weeks from today.

5. Having regard to the fact that the matter pertains to disqualification, in my opinion, interest of justice will be served by continuing the interim order passed by the Additional Commissioner with direction to the Additional Commissioner to decide the appeal within two weeks from 12.04.2017. Parties assure that they will appear before the Additional Commissioner on 12.04.2017 and for that purpose, no fresh notice be issued to them. Additional Commissioner is requested to decide the Appeal on or before 26.04.2017. Petition is disposed of in the aforesaid terms. All the parties, including the the Additional Commissioner, to act upon the authenticated copy of this order.

6. List the Petition for 'reporting compliance' on 28.04.2017.

(R. G. KETKAR, J.)

Minal Parab