

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

WRIT PETITION NO.5686 OF 2016

Shri. Kishor Bhagwan Phadtare	..Petitioner
Versus	
Additional Commissioner, Commissioner Office, Pune Division, Pune, Vidhanbhavan, Pune-411 001 and others	..Respondents

Mr. Chaitanya Nikte for the Petitioner.
Mrs. V. S. Nimbalkar, AGP for the Respondent Nos.1, 2 and 5.

CORAM : R. M. SAVANT, J.
DATE : 6th MARCH, 2017

PC.

1 The order recorded in the Roznama of 25.04.2016 vacating the stay granted in favour of the Petitioner pending the Appeal is taken exception to by way of the above Petition. The Petitioner has been disqualified under Section 14(1)(j-3) of the Maharashtra Village Panchayats Act, 1958. Against the said disqualification the Petitioner has filed an Appeal before the Additional Commissioner, Pune Division, Pune. The Additional Commissioner by order dated 04.04.2016 had granted interim stay to the order of disqualification passed by the Additional Collector against the Petitioner. The Appeal filed by the Petitioner thereafter was posted on an intervening date however on 25.04.2016 the stay which was in operation in favour of the Petitioner was vacated. The

(30)-WP-5686-16.doc.

above Petition had come up for admission on 13.05.2016 before a Learned Single Judge of this Court when ad-interim reliefs in terms of prayer clause (B) were granted in favour of the Petitioner. Since the Appeal filed by the Petitioner is pending consideration of the Additional Commissioner, it would be just and proper to continue the ad-interim relief which is operating in the above Petition pending the Appeal. The Additional Commissioner is directed to hear and decide the Appeal latest by 31.05.2017. The ad-interim relief in terms of prayer clause (B) passed in the above Petition would operate pending consideration of the Appeal. With the aforesaid directions, the Writ Petition is disposed of.

[R.M.SAVANT, J]