

FARAD CONTINUATION SHEET  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NOs.8101/2017, 8102/2017, 8103/2017, 8104/2017,  
8105/2017, 8106/2017, 8107/2017, 8108/2017, 8109/2017 AND  
8111/2017

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|-----------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. Mahadeo Anantrao Chaudhari for the petitioner

Mrs. A. D. Varkar, AGP for respondent Nos.2 to 4.

**CORAM : K. K. TATED, J.**

**DATE : JULY 19, 2017**

**RC.:**

1. Heard. By these petitions under Article 227 of the Constitution of India, the petitioner challenges order dated 05.04.2017 passed by the Collector, Solapur in Grampanchayat Dispute Applications u/s.14-B of the Maharashtra Village Panchayat Act, 1958 holding that the petitioners have failed and neglected to submit their statements of account of expenses in prescribed form and on that ground disqualified the petitioners being members of Grampanchayat Hydra, Tq. Akkalkot, Dist. Solapur and declared that they are not entitled to contest election nor they can become member of Gampanchayat, Hydra for a period of five years from the date of order.

2. Being aggrieved by the said orders, the petitioners filed Grampanchayat Dispute Appeal before the Additional Commissioner, Pune Division, Pune. They have also made applications for stay of the impugned orders. He submits that their appeals as well as the applications for stay are pending since 15.04.2017 before the authority. Hence, they moved this court by these petitions under Article 227 of the Constitution of India for stay of the impugned orders passed by the learned Collector.

3. The learned AGP for the respondent submits that she received instructions from the concerned office that the Divisional Commissioner, Pune Division, Pune would decide the petitioners' appeals as well as the applications for stay finally within four months from today. Statement is accepted.

4. Considering the submissions made by the learned counsel for the petitioners and as the petitioners have submitted their accounts for expenses within one month from the date of election and the order passed by this court dated 14.09.2016 in Writ Petition No.6537/2017 along

with connected Writ Petitions, I am of the opinion that the petitioners have made out a case for allowing these Writ Petitions with directions to the Divisional Commissioner to decide the petitioner's appeal as well as the applications for stay within four months from today. Till decision of the appeals and/or applications for stay, the operation and implementation of the impugned orders passed by the Collector is required to be stayed because the petitioners have submitted their accounts of expenses within stipulated time but those were not in prescribed form. Whether it is mandatory to submit the accounts in prescribed form or not, has to be decided at the time of final hearing of the appeals preferred before the Divisional Commissioner.

5. Hence, following order is passed:

a. All Writ Petitions are partly allowed.

b. The Divisional Commissioner, Pune Division, Pune is directed to decide the appeals as well as the applications for stay preferred by the petitioners challenging the orders passed by the Collector dated 05.04.2017 as early as possible in any case within four months from the receipt of copy of this order.

- c. Till final disposal of the appeals and/or applications for stay preferred by the petitioner before the Divisional Commissioner, Pune Division, Pune, the operation and implementation of the impugned orders passed by the learned Collector, Solapur is stayed.
- d. The parties to appear before the Divisional Commissioner on 08.08.2017 at 11.00 am for fixing date of hearing of appeals.
- e. Parties to act on an authenticated copy of this orders.
- f. With these directions, all the Writ Petitions stand disposed of.
- g. No order as to costs.

**JUDGE**