

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

WRIT PETITION NO. 10173 OF 2016

Smt. Lata Popat Dalavi

... Petitioner

V/s.

State of Maharashtra

through its Secretary, Social

Justice Department & Ors.

... Respondents

WITH

WRIT PETITION NO. 10169 OF 2016

Mr. Dattaram Bhimrao Karande

... Petitioner

V/s.

State of Maharashtra

through its Secretary, Social

Justice Department & Ors.

... Respondents

Mr. R. K. Mendadkar for the Petitioners in both W.P.

Mr. A.I. Patel, Addl. G.P. for the Respondent Nos. 1 to 4.

WITH

WRIT PETITION NO. 9008 OF 2016

Smt. Sushila Nitin Patole

... Petitioner

V/s.

State of Maharashtra

through its Secretary, Social

Justice Department & Ors.

... Respondents

Mr. Dhananjay Rananaware for the Petitioners.

Mr. A.I. Patel, Addl. G.P. for the Respondent No.1.

Ms. Shriya Jadhav i/b Mr. Sachindra Shetye for the Respondent No. 2.

CORAM : A.S.OKA &

SMT. VIBHA KANKANWADI, JJ.

DATE : 22nd JUNE, 2017

:ORDER:

. In these petitions, there is a challenge to the order of disqualification passed by the Additional Collector under the provisions of Section 10-1A(2) read with Sub-Section 2 of Section 16 of the Maharashtra Village Panchayats Act, 1958. The learned Counsel appearing for the Petitioners states that as a remedy of an Appeal against the said order is available under Sub-Section 2 of Section 16 of the said Act of 1958, the Petitioners may be relegated to the said statutory remedy and ad interim relief granted by this Court be extended for a reasonable time to enable the Petitioners to move the Appellate Authority for an appropriate relief.

2 Accordingly, we pass the following order:-

ORDER

- i) Writ Petitions are disposed of with liberty to the Petitioners to prefer Appeals under Sub-Section 2 of Section 16 of the said Act of 1958 against the impugned orders;
- ii) If such Appeals are preferred, the Appellate Authority is bound to take a note of the fact that these petitions were filed on 30th August 2016 and that the same remained pending in this Court till date as the petitions were entertained by this Court;
- iii) Interim relief/ad-interim relief operating in these petitions will continue to operate for a period of 12 weeks to enable the petitioners to move the Appellate Authority for grant of an appropriate relief;

- iv) All contentions of the parties are kept open;
- v) Rule is discharged with no order as to costs.

(SMT. VIBHA KANKANWADI, J.)

(A.S.OKA, J.)