

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 357/2017.

Mrs. Nirmala Rahul Gajbe

-VERSUS-

The Collector, Nagpur and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.

DATE : JANUARY 24, 2017.

Heard Shri H. Dangre, learned Counsel for petitioner, Shri N.Rode, learned A.G.P. for respondent no.1 and Shri A. Shelat, learned Counsel for respondent no.2.

2. Learned counsel for respondent no.2 states that respondent no.2 has filed submissions on affidavit. Necessary proposal as per Section 44 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 has been sent to the office of respondent no.1 Collector on 20.01.2017.

3. Learned counsel for petitioner submits that events leading to alleged disqualification have

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occurred in July/August, 2016 and since then petitioner has been making efforts. Tenure of body is to expire on 07.12.2017. He therefore, seeks direction to the office of respondent no.1 to decide the controversy before said date.

4. Learned A.G.P. for respondent no.1 submits that his instructions are still awaited. According to him, the decision needs to be taken in accordance with law and hence, reasonable time should be allowed for that purpose.

5. Taking over all view of the matter, we direct respondent no.1 Collector to keep in mind the event of expiry of tenure of elected body by 07.02.2017, and to attempt to decide the disqualification proceedings as expeditiously as possible, preferably before that date.

6. With these directions, we dispose of the Writ Petition. No costs.

7. Copy of this order be furnished to learned counsel for the parties to act upon.

JUDGE

JUDGE

Rgd.