

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**61 WRIT PETITION NO. 2881 OF 2018
WITH CA/5500/2018 IN WP/2881/2018**

THE GRAM PANCHAYAT WAHALI THROUGH SARPANCH ASHWINI
BHARAT MANMODE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

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Mr. Milind M. Patil (Beedkar), Advocate for the
Petitioner.

Mr. S. B. Pulkundwar, AGP for Respondents-State.

Mr. Kailas U. More, Advocate for Respondent Nos.4
to 6.

Mr. N. L. Jadhav, Advocate for Applicant in
CA/5500/2018.

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**CORAM : S. V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

DATED : 10th JULY, 2018.

PER COURT:-

1. The petitioner has assailed the Resolution
shifting the Primary Health Centre.

2. We have heard the learned counsel for the
respective parties.

3. It is submitted by the learned counsel for
respondent nos.4 to 6 that the Government has not
yet taken any decision on the Resolution for
shifting of the Primary Health Centre in question.
It is further submitted by Mr. Jadhav, learned

counsel for the intervenor that the final authority to take decision is the Government. As per the Government Resolution dated 23.08.2012, unless and until the Government takes a final decision, there would be no question of shifting the Primary Health Centre. Mr. More, learned counsel submits that, even if, the Primary Health Centre is shifted, the place where the Primary Health Centre is situated today will have a sub centre.

4. The petitioner may lodge his objection with the Government, where the proposal for shifting of the Primary Health Centre is pending. Said objection naturally would be considered. The petitioner is entitled to raise the objection before the authorities concerned.

5. Writ Petition accordingly disposed of. No costs.

6. In view of disposal of writ petition no.2881 of 2018, nothing survives in the present civil application. Civil Application as such disposed of.

(SUNIL K. KOTWAL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE