

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

940 WRIT PETITION NO. 9760 OF 2018

SANJAY VITTHALRAO ADHANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Shri Thombre S.S.
AGP for Respondents 1 to 6 : Shri Patil K.S.
Advocate for Respondent 7 : Shri Patil Faruk V.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: August 24, 2018
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PER COURT :-

1. The petitioner is aggrieved by the inter locutory order dated 13.8.2018 passed by the Additional Divisional Commissioner, Aurangabad by which, the order of the District Collector, dated 4.8.2018, disqualifying respondent No.7 as a Sarpanch of the village for having caused encroachment on Government land, under Section 14-j(3) of the Maharashtra Village Panchayats Act, has been stayed during the pendency of the appeal.

2. I have heard the learned Advocate for the petitioner, the learned AGP on behalf of respondents 1 to 4 and the learned counsel for respondent No.7, who is the contesting party and the appellant in the pending proceedings.

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3. The learned AGP and respondent No.7 submit that the pending appeal can be expeditiously disposed off by respondent No.2 on/or before 30.9.2018. Notices have been issued to the other respondents. The petitioner has appeared in the pending proceeding and the next date of hearing is 19.9.2018.

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4. The grievance of the petitioner is that after the post of Sarpanch has fallen vacant, an unprecedented inter locutory order has been passed by respondent No.2.

5. I find that the ends of justice would be met by directing respondent No.2 to decide the pending appeal on/or before 30.9.2018.

6. As such, this petition is disposed off with a direction to respondent No.2 to decide the pending appeal / Cr-105-2018, as expeditiously as possible and on/or before 30.9.2018 after hearing all the litigating sides in the matter.

(RAVINDRA V. GHUGE, J.)

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