

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4088 OF 2018

Vitthal Dharmaraj Kedar ...Petitioner
vs.
The State of Maharashtra and Others ...Respondents

Mr. A.A. Joshi, for the Petitioner
Ms. Reena Salunkhe, AGP for Respondent Nos. 1 & 2-State.

**CORAM : SHANTANU S. KEMKAR &
SARANG V. KOTWAL, JJ.**

DATE : AUGUST 30, 2018

P.C.:

. Heard learned counsel for the Petitioner as also the learned AGP for Respondent Nos. 1 and 2. None for Respondent Nos. 2 to 7 though served.

2. It has been stated by the learned counsel for the Petitioner that in pursuance to the report dated 13th July, 2017 (Exhibit "P") submitted by the Chief Executive Officer, Zilla Parishad, Solapur, the Divisional Commissioner has fixed the matter for consideration and for taking appropriate decision on 7th September, 2018. He also submits that so far as the decision dated 1st November, 2017 taken by the Chief Executive Officer, Zilla Parishad, Solapur, the Chief Executive Officer is not empowered to

decide the matter himself but he is require to forward the report to the Divisional Commissioner for taking appropriate decision.

3. Having considered the submissions made by the learned Counsel for the Petitioner as also learned AGP, we dispose of this Petition by directing the Divisional Commissioner to consider the grievance of the Petitioner in regard to the report dated 1st November, 2017 as also take appropriate decision in regard to the matter which is already fixed before him on 7th September, 2018.

4. Before taking any decision in both the matters, it is expected that the Divisional Commissioner shall give opportunity of hearing to all the concerned including the Petitioner.

5. The Commissioner to take decision on both the matters in accordance with law within two months.

6. With the aforesaid direction, the Petition is disposed of.

7. All contention of the parties are kept open.

(SARANG V. KOTWAL, J.)

(SHANTANU S. KEMKAR, J.)