

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4265 of 2018

The Sarpanch, Gram Panchayat WangiPetitioner
versus
The Hon'ble Chief Minister,
The State of Maharashtra and ors.Respondents

Mr. Mahindra B. Deshmukh, advocate for the petitioners.
Mr. A. A. Patel AGP for the State.
Mr. Vijay Killedar, advocate for the respondent Nos.4 to 6.

**CORAM : RANJIT MORE &
SMT.ANUJA PRABHUDESSAI, JJ.**

DATE : 9th JULY, 2018.

P. C. :

1. The petition is filed for the following reliefs :

"a. ...

b. This Hon'ble Court may be pleased to declare that the order passed by the Respondent Nos.1 and 3 dated 05/02/2018 and 14/02/2018 are illegal and beyond the power and their authority and further be pleased to quash and/or set aside the impugned order dated 05/02/2018 and 14/02/2018 passed by Respondent Nos.1 and 3 respectively.

c. This Hon'ble Court may be pleased to issue appropriate Writ, direction or order thereby directing to the Respondents 1 to 6 to forthwith commence the construction of Primary Health Centre as planned in

Gat No.3264 of village Wangi, Tal. Kadegaon, District; Sangli."

2. By an order dated 14th February, 2018, the Collector-Sangli, at the instance of the Chief Minister, stopped construction of the Primary Health Centre on Gat No.3264. The orders of the Collector as well as the Chief Minister are challenged in the petition. After hearing both the sides, this Court, by an order dated 12th April, 2018, granted ad-interim relief in terms of prayer clause (d) and thereby, stayed the Collector's order.

3. Mr. Killedar, learned counsel appearing for the respondent Nos. 4 to 6, makes a statement that now construction of the Primary Health Centre has commenced on Gat No.3264 and the same shall be completed expeditiously. The statement is accepted. In support of his statement, Mr. Killedar has placed on record communication dated 3rd July, 2018 and 7th July, 2018 from the Deputy Engineer, Panchayat Samiti, Kadegaon as well as photographs to that effect. He further submits that he has no objection if the impugned orders are quashed and set-aside.

4. In the light of the above, we dispose of this petition in terms of prayer clause (b) which is mentioned hereinabove. Prayer clause (c) is rendered infructuous in view of the statement made hereinabove that

the construction of the Primary Health Centre has already commenced on Gat No.3264 and will be completed expeditiously.

5. The writ petition, accordingly, stands disposed of.

[SMT.ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]