

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5185 OF 2018***

Saraswati Mahadev Swami

Petitioner

Versus

The Collector, Solapur & Ors.

Respondents

Mr.S.S.Aradhya, for the Petitioner.

Mrs. Nisha Mehra,AGP, for the State.

CORAM : RANJIT MORE &

SMT. SADHANA S.JADHAV,JJ.

DATE : 2nd May, 2018.

P.C. :

The petitioner is disqualified by the Collector, Solapur under the provisions of Section 14(b) of Maharashtra Village Panchayats Act (hereinafter referred to as "the said Act"). The petitioner challenged this order by filing an appeal under Section 16(2) of the said Act to the Divisional Commissioner, Pune Division, Pune.

2. The grievance of the petitioner is that though the appeal along with the stay application is filed in December, 2017, the same is not disposed of till today. In the meanwhile, the election

programme to fill the vacancy is declared. The petitioner is therefore seeking a direction to the Commissioner to dispose of the appeal.

3. Learned AGP submits that appropriate order may be passed.

4. In the light of above, we deem it convenient to dispose of this petition by directing the Divisional Commissioner, Pune to dispose of the petitioner's appeal (a copy of which is annexed at Exhibit "D" to the petition) as expeditiously as possible and within a period of seven days from the date of receipt of this order. Ordered accordingly.

5. It is made clear that we have not gone into merits of the matter. All points and contentions of the respective parties are kept open.

6. In order to enable the Divisional Commissioner, Pune to dispose of the said appeal, the petitioner shall remain present before the Divisional Commissioner along with a copy of the appeal

as well as a copy of this order on 7th May, 2018.

7. All concerned to act on an authenticated copy of this Order.

[SMT. SADHANA S.JADHAV, J.]

[RANJIT MORE, J.]