

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1480 OF 2018

Gram Panchayat, Pimpri Sayyad ...Petitioner
vs.
The State of Maharashtra and Others ...Respondents

Mr. Nitin Gangal, for the Petitioner
Mr. Sandeep Babar, AGP for Respondent-State.
Mr. S.A. Sawant a/w. Ms. Rutu Pawar and Mr. A. Matkar, for
Respondent No. 4.
Ms. Chaitrali Deshmukh, for Respondent Nos. 2 and 3.

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

DATE : AUGUST 24, 2018

P.C.:

- . Parties through their counsel.
2. Challenging the order dated 18th April, 2017 (Exhibit "E") passed by Respondent No. 1- State Government the Petitioner has filed this Petition.
3. We find that vide impugned order dated 18th April, 2017 the matter has been remanded by the State Government to the Chief Executive Officer, Zilla Parishad, Nashik by directing him to examine the matter and take appropriate decision on it in accordance with law.
4. The grievance of the Petitioner is that while examining

the matter afresh, the Chief Executive Officer may be influenced by the observations made at clause 7(क) in the impugned order dated 18th April, 2017 as also other observations made therein.

5. Having considered the aforesaid submission as agreed by the learned counsel for the parties, we dispose of this Petition by directing the Chief Executive Officer to decide the matter afresh in accordance with law un-influenced by any observations made in the impugned order dated 18th April, 2017.

6. We make it clear that all contentions of both the parties are kept open.

7. The parties are at liberty to submit their written submissions.

8. We expect that the Chief Executive Officer shall decide the matter as directed above as expeditiously as possible but in any case not later than four months from the date of appearance of the parties before the said authority.

9. The parties to appear before the Chief Executive Officer on 10th September, 2018 at 11.00 am.

10. The Petition is disposed of as such.

(S. V. KOTWAL, J.)

(SHANTANU KEMKAR, J.)

Vishal Parekar

**Vishal
Subhash
Parekar**

Digitally signed by
Vishal Subhash
Parekar
Date: 2018.08.24
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