

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Review Petition (ST) NO. 1861 OF 2018
IN
Writ Petition No.8750 of 2016

Shri Pravin Dattatray Jambhulkar

..Petitioner
[Orig. Petitioner]

Versus

Divisional Commissioner,
Pune Division, Pune And Ors.

...Respondents
[Orig. Respondents]

....

Mr. A.V. Anturkar, Senior Advocate a/w. Amol Gatne, Ajinkya Udane,
Ranjit Shinde, Advocate for the Applicant.

Mr. Sachin Kankal, AGP, for Respondents No.1 and 2.

Mr. V.V. Pai, Advocate for Respondent No.4.

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CORAM : R. G. KETKAR, J.

DATE : 09th FEBRUARY, 2018

[IN CHAMBER AT 2:35 P.M.]

P.C.

1. Heard Mr.A.V. Anturkar, learned Senior Counsel for the petitioner, Mr. Sachin Kankal, learned A.G.P for respondents No.1 & 2-State and Mr.V.V. Pai, learned Counsel for respondent No.4, at length. At the joint request of the learned Counsel appearing for the parties, Review Petition is taken up for admission.

2. By this Petition under Section 114 read with Order XLVII Rule 1 of C.P.C., the petitioner has sought review of the order dated 4.5.2017 passed in Writ Petition No.8750/2016. By that order, the Petition instituted by the petitioner challenging the judgment and order dated

2.1.2016 passed by respondent No.2 District Collector, Pune in Dispute Application No.35/2015 as also the judgment and order dated 31.3.2016 passed by the Additional Commissioner, Pune Division, Pune in Appeal No.2/2016, was dismissed. By order dated 2.1.2016, respondent No.2 Additional Collector disqualified the petitioner as a member of Hinjewadi Grampanchyat, Taluka – Mulshi, District – Pune on the ground that the petitioner has encroached upon the Government land or public property as contemplated by Section 14(1) (j-3) of the Maharashtra Village Panchayats Act. Aggrieved by said order, the petitioner preferred appeal before Additional Commissioner, Pune Division, Pune which was dismissed on 31.3.2016.

3. Mr. Anturkar, after arguing the Review Petition for quite some time, states that he is not pressing this Petition. He submitted that it may be clarified that in future if fresh cause of action arises to the petitioner, he would be at liberty to adopt appropriate proceedings in accordance with law. All contentions in that regard may be kept open.

4. In view thereof, Review Petition is disposed of as not pressed with liberty as prayed for. All contentions of the parties in that regard are kept open. Order accordingly.

(R.G. Ketkar, J.)