

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1952 OF 2018

Vanita Dilip Gavali .. Petitioner
Vs.
The State of Maharashtra & Ors. .. Respondents

Mr.Vivek V. Salunkhe i/by Mr.Rupesh Atul Zade for the petitioner.
Mr.S.D.Rayrikar, AGP for the respondent nos.1 to 3-State.
Mr.Sushant S. Prabhune for the respondent nos.5 to 12.

CORAM : R.D. DHANUKA, J.
DATE : 11th April 2018

P.C.:

. Heard learned counsel appearing for the parties.

2. A perusal of the impugned order dated 24th January 2018 passed by the learned Collector, District Pune indicates that the learned Collector has not dealt with all the issues raised by the petitioner in the impugned order and has adopted a casual approach in the matter. Learned counsel for the respondent nos.5 to 12 states that the matter may be remanded back to the learned Collector, District Pune for disposal of the Dispute Application/SR No.185 of 2017 afresh. Statement made by the learned counsel for the respondent nos.5 to 12 is accepted.

3. I therefore pass the following order :-

(i) The impugned order dated 24th January 2018 passed by the learned Collector, District Pune in Gram Panchayat Dispute Application/SR No.185 of 2017 is set aside.

(ii) The Dispute Application/SR No.185 of 2017 is restored to file. The learned Collector, District Pune shall decide the said application afresh without being influenced by the observations made and conclusion drawn in the impugned order dated 24th January 2018 after hearing both the parties and in accordance with law.

(iii) In view of the remand of the matter before the learned Collector, Pune the respondent shall not implement the resolution of No Confidence Motion which was carried out by the petitioner on 6th November 2017 against the petitioner till disposal of the Dispute Application/SR No.185 of 2017 and for a period of two weeks from the date of communication of the said decision.

(iv) Parties are directed to appear before the learned Collector, District Pune on 20th April 2018 at 3.00 p.m.

4. Writ petition is disposed of in aforesaid terms. No order as to costs. Learned AGP to convey this order to the authority for compliance. Parties as well as the learned Collector to act on the authenticated copy of this order.

R.D. DHANUKA, J.