

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6846 of 2018

Smt. Suman Madhukar KharatPetitioner
versus
Shri Atish Ananta Mhatre and ors.Respondents

Shri R. P. Lote, advocate for the petitioner.
Mrs. M. P. Thaur, AGP for the State.

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

DATE : 3rd JULY, 2018.

P. C. :

Mr. Lote, learned counsel for the petitioner, stated that he is restricting this petition to the relief claimed under prayer clause (c) which reads as under :

“(c) By appropriate writ, direction or order, R.No.9 be directed to dispose off and pass the order in appeal bearing No.VP/116 of 2018 within such time as this honourable Court may deem fit and proper,”

2. The petitioner filed dispute application No.37 of 2017 before the Collector, Thane for disqualification of the respondent Nos.1, 2, 3 and 4 under Section 10-1A and 14 (1)(j-5) read with Section 16 of the Maharashtra Village Panchayats Act. As the said

appeal was dismissed by the Additional Collector, Thane, the petitioner being aggrieved, filed an appeal No.116 of 2018 before the respondent No.9-Additional Commissioner. The short grievance of the petitioner is that though the arguments were heard on 29th June, 2018, no orders are passed. The learned AGP has no objection if appropriate orders are passed.

3. In the above circumstances, we deem it convenient to dispose of this petition by directing the respondent No.9-Additional Commissioner to dispose of the appeal being VP Appeal No.116 of 2018 independently on its own merits and in accordance with law as expeditiously as possible and preferably within a period of six months from the date of receipt of this order. Ordered accordingly.

4. It is made clear that we have not gone into the merits of the matter and all rights and contentions of the respective parties are kept expressly open to be agitated before the appropriate authority.

5. In order to enable the respondent No.9 – Additional Commissioner to comply with this order, the petitioner shall

remain present before him along with the copy of the appeal memo as well as copy of this order on 10th July, 2018 at 11.00 am..

6. The writ petition stands disposed of.

[SMT.ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]