

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

WRIT PETITION NO.9006 OF 2014

Bapu Babu Pasalkar .. Petitioner
Vs.
The Addl. Divisional Commissioner, Pune & Ors. .. Respondents

Mr.Vaibhav R.Gaikwad for the petitioner.
Mr.S.D.Rayrikar, AGP for the respondent nos.1 to 5-State.
Mr.M.G.Bagkar i/by Mr.S.V. Marne for the respondent no.6.

**CORAM : R.D. DHANUKA, J.
DATE : 6th March 2018**

P.C.:

. The petitioner was disqualified from a member of the Gram Panchayat under Section 14(1)(j-3) of Maharashtra Village Panchayats Act, 1958. The impugned orders dated 27th January 2014 and 25th August 2014 passed by the authorities were stayed by an order dated 29th September 2014. Ad-interim order is continued by this Court from time to time. During the pendency of this writ petition, the tenure of the petitioner as a member of the Gram Panchayat has expired.

2. It is made clear that if any action is proposed in future against the petitioner of any alleged encroachment on the government land under Section 14(1)(j-3) of the said Act, the same shall be independently considered without being influenced by the observations made and conclusion drawn in the impugned orders. This Court has not gone into the validity of those orders in this petition in view of the ad-interim order passed by this Court in this petition. Petition has thus become infructuous and is accordingly disposed of as infructuous with the aforesaid clarification.

R.D. DHANUKA, J.