

Anand

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

WRIT PETITION NO. 12488 OF 2018

Shahaji Bajirao Jadhav

.Petitioner

Vs.

Uttam Bajirao Patil & ors.

.Respondents

Mr. D. S. Patil, Advocate, for the Petitioner

Mr. S. S. Patwardhan i/b. Mr. C. G. Patil, Advocate, for the
Respondent No. 1

Mr. S. D. Rayarikar, AGP, for the Respondent Nos. 2 & 4 – State

CORAM : REVATI MOHITE DERE, J.

DATE : 01.11.2018

P.C.

. Heard learned counsel for the parties.

2. It is not in dispute that the Petitioner's Appeal is pending before the Additional Commissioner, Pune Division, Pune and that the same is due for hearing on 30.11.2018. It is also not in dispute that interim relief has been rejected by the Divisional Commissioner vide order dated 20.10.2018. Since the Appeal is pending before the Additional Commissioner, it would not be appropriate to consider the aforesaid Petition on merits. Suffice to

state that till the Additional Commissioner decides the Petitioner's Appeal, by-elections shall not be held till the said Appeal is decided by the Additional Commissioner.

3. The Petition is disposed off in the aforesaid terms.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)