

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

954 WRIT PETITION NO.1756 OF 2019

Sushila w/o Purushottam Arsul,
Age 33 years, Occu: Agri. & Household
(Deputy Sarpanch)
R/o Bensur, Tq. Patoda,
District Beed.

... **PETITIONER**

VERSUS

- 1) The State of Maharashtra,
through : Secretary,
Rural Development Department,
Mantralaya, Mumbai – 32.
- 2) The Collector,
Beed, District Beed.
- 3) Sau. Sharda Rajabhau Sagare
Age : 41 years, Occu: Household,
R/o Bensur, Tq. Patoda,
District Beed.
- 4) Kumari Shital D/o Rajabhau Sagare
Age : 23 years, Occ: Agri & Household
R/o. As above.
- 5) Rajabhau s/o. Dashrath Sagare
Age : 49 years, Occu: Health Assistant
R/o. C/o.Primary Health Center,
Limba Ganesh, Tq & Dist : Beed.

... **RESPONDENTS**

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Advocate for Petitioner : Mr. N. L. Jadhav
AGP for Respondent - State: Mrs. R. P. Gour
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**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 7th February, 2019

ORAL ORDER :

1. Heard Mr. Jadhav, the learned counsel for the petitioner.
2. A very limited grievance is raised in the petition and on the basis of that grievance, the prayer clause 'B' is made. The petitioner is a resident of village Bensur, Tq. Patoda, Dist. Beed. The petitioner was elected as a Deputy Sarpanch of village Bensur. The respondent No. 3 and 4 were also elected as the Sarpanch and Member of the Panchayat respectively. It is stated in the petition that the respondent Nos. 3, 4 and 5, in connivance with each other made encroachment on the Grampanchayat land. The petitioner approached the respondent No. 2 – The Collector, Beed, by filing a complaint, seeking disqualification of the respondent Nos. 3 and 4 under the provisions of Maharashtra Village Panchayat Act, 1958 under Section 14(J-3) read with Section 16.
3. The learned counsel submitted that there is stipulation of period for decision of the complaint and though the complaint is submitted to the competent authority on 25.07.2018 and though the notices are issued to the parties, there is no further progress in the

matter. The submission of learned counsel is delay in decision would frustrate the object of approaching the competent authority.

4. In view of the above referred facts, the learned counsel for the petitioner prayed for directions as per prayer clause (B). In view of the submissions of learned counsel and on perusal of the material placed on record, we allow the petition partly by directing the respondent No. 2 – the Collector, Beed to decide the complaint submitted to him on 27.07.2018 as expeditiously as possible and not later then 12 weeks from the date of order of this Court.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)