

(1)

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

WRIT PETITION NO.2452 OF 2019

1. Babruwan s/o Uttamrao Kadam,
Age:37 years, Occu: Agri.,
R/o Telasmukh, Tq. Parali Vaijinath,
District Beed

2. Vinayak s/o Pandurang Kadam,
Age: 43 years, Occu: Agri.,
R/o as above

..PETITIONERS

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Rural Development Department,
Mantralaya, Mumbai

2. The District Collector, Beed

3. Radha Ramesh Sahajrao @
Radha Pralhad Dhawale,
Age:21 years, Occu: Sarpanch of the
Grampanchayat, Telasmukh,
Tq. Parali Vaijinath, Dist. Beed

..RESPONDENTS

Mr S. S. Thombre, Advocate for petitioners;
Mr S. S. Dande, A.G.P. for respondent Nos.1 & 2

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 21st February, 2019

ORAL ORDER:

Heard Mr Thombre, learned counsel appearing on behalf of the
petitioners.

(2)

2. As a very limited grievance is made before this Court, the petition is taken up for disposal at the admission stage.

3. Learned Counsel for the petitioners invited our attention to the representation submitted to the Collector, Beed, a copy of which is placed on record at Exh.'A'. It is stated in the representation that respondent No.3, who contested election of Grampanchayat held in the year 2017 and was elected as a Sarpanch, could not have been elected to the post of Sarpanch as she had not completed 21 years of age while filing nomination form. It is stated in the representation that necessary documents are annexed to the representation and then request is made to the Collector to conduct an enquiry and take appropriate decision.

4. Learned Counsel for the petitioners submits that as the representation is pending before respondent No.2 - Collector for considerable long period, the petitioner is left with no choice but to approach this Court by way of present petition.

5. This being a limited grievance, the petition is disposed of with directions to respondent No.2 to decide representation dated 27th October, 2017, as expeditiously as possible and not later than ten weeks from the date of the order of this Court, needless to state on its own merits.

(3)

6. We further make it clear that this Court has not expressed any opinion on the merits of the representation. The authority is at liberty to assess merits of representation, if needed on the backdrop and the provisions of law and the Circulars, Notifications, Resolutions by the State Government in this respect.

The petition is disposed of accordingly.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

sjk