

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

WRIT PETITION NO.3059 OF 2019

Ashok S/o Gulabrao Talekar
Age : 36 years, Occu.: Business,
R/o. Madalmohi, Tq. Gevrai,
Dist. Beed.

... Petitioner

VERSUS

1. The Union of India
Through its Secretary,
Mantralaya, Mumbai.
 2. The District Collector,
Collector Office, Beed,
District Beed.
 3. The Chief Executive Officer,
Beed Zilla Parishad, Beed.
 4. Block Development Officer,
Panchayat Samiti Office, Beed,
Tq. And District : Beed.
 5. Grampanchyat Madalmohi,
Through it's Gramsevak,
Madalmohi,
Tq. And District : Beed.
- ... Respondents

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Mr. Vinay B. Anjanwatikar, Advocate for Petitioner;
Ms. R.P. Gaur, AGP for Respondent Nos. 1 and 2.

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

DATED : 04th MARCH, 2019

PER COURT:-

1. Heard the learned counsel appearing for the petitioner.
2. As a limited grievance is raised in the petition, the petitioner is taken up for disposal at admission stage.
3. Notice to Respondent Nos. 1 and 2, returnable forthwith. Learned AGP waives service of notice on behalf of Respondent Nos. 1 and 2.
4. The Petitioner had approached the Additional Collector Beed along another appellant Sunil Puri. The petitioner submitted that, he along with one Sunil Puri are the resident of village Madalmohi, Tq. & Dist. Beed and the respondents in the proceeding namely; Appeal No.4/2017 filed by the petitioners were elected as a Member of the Panchayat. It is submitted that the respondents were duty bound to file their validity certificates within stipulated period of (6) six months. As the respondents failed to submit the validity certificates, the respondents incurred disqualification. The grievance of the petitioner is the proceeding is pending before the Additional Collector for considerable long period, and the authority i.e. Additional Collector is not deciding the appeal. This being a limited grievance of the petitioner.

5. The petition is disposed of with a directions to the Collector – Respondent No.2 to issue appropriate dictions to the Additional Collector to apprise the Additional Collector, Beed about the pendency of Appeal No.4/2017, and then the Additional Collector, Beed to decide the appeal pending before him, as early as possible, and not later than (6) weeks from the date of order of this Court, if not already decided.

(S.M. GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

Sudhir Rane