

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 4090 OF 2017

Smita w/o Pandurang Lad

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. A.A. Nimbalkar, advocate for petitioner.
Mrs. R.P. Gour, AGP for all respondents.

**CORAM : PRASANNA B. VARALE AND
NITIN W. SAMBRE, JJ.
DATE : 18th March, 2019.**

P.C. :

This petition is filed being aggrieved by the order passed by the Collector, Ahmednagar on 23.12.2016, allowing the dispute raised and incurring the petitioner disqualified with retrospective effect.

2. Petitioner preferred appeal before the Divisional Commissioner, Nasik Division, Nasik in the month of January, 2017. Petitioner also submitted application for grant of interim order in the nature of stay to the order challenged in the appeal. Learned counsel for petitioner submits that though the Divisional Commissioner scheduled hearing on 21.03.2017, the said authority stayed its hands off from the proceeding without assigning any reason and orally informing the petitioner that due to certain judgments of the Court, the authority will not be in a position to pass order on the application seeking interim order.

3. Learned counsel for the respective parties admit that if directions are issued to the concerned Divisional Commissioner to decide the proceeding expeditiously, the purpose of approaching this Court would be duly served and no prejudice would be caused to any of the parties.

4. Considering this aspect, we are of the opinion to dispose of the petition without going into exercise of assessing merits of the matter. Accordingly, the petition is disposed of with directions to respondent no 2 - Divisional Commissioner, Nasik Division, Nasik, to decide the appeal preferred by petitioner as expeditiously as possible and not later than eight weeks from the date of receipt of order of this Court. We further direct that, till the decision of the appeal by respondent no. 2, the parties to maintain status quo as on today.

5. In view of disposal of petition, pending civil applications are disposed of.

NITIN W. SAMBRE
JUDGE

PRASANNA B. VARALE
JUDGE

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