

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

WRIT PETITION NO.10360 OF 2019

LIMBAJI BHIVSAN TARU AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioners : Shri Chincholkar G.N.
AGP for Respondents 1 and 2 : Shri S.R.Yadav
Advocate for Respondent 4 : Shri Nagargoje Ankush N.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 21st August, 2019

Per Court:

1 The petitioners are the original complainants, who are aggrieved by the interlocutory order dated 15.07.2019 passed by the Additional Divisional Commissioner, Aurangabad.

2 Respondent No.4/ Sarpanch is alleged to have issued cheques to her son/ respondent No.5 for doing the works of the Gram Panchayat. The contention is that the Sarpanch was disqualified by the order of the District Collector dated 04.07.2019 by which, she was held to have incurred disqualification. By the impugned order, the Additional Divisional Commissioner has stayed the said order so as to consider the appeal pending before him.

3 I find that the next date before the Additional Divisional

Commissioner is 28.08.2019. Time frame can be granted for an early decision in the proceeding. An equitable order has been passed by the said authority, which cannot be branded as being perverse or erroneous.

4 This Writ Petition is, therefore, disposed off.

5 Nevertheless, the litigating sides shall address the Additional Divisional Commissioner on 28.08.2019 and participate in the proceedings on the dates on which the matter will be posted. The said authority shall conduct the said proceedings in accordance with the procedure laid down in law and shall decide the same on or before 15.10.2019.

kps

(RAVINDRA V. GHUGE, J.)