

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

1064 WRIT PETITION NO.10677 OF 2018

PATHAN TALEB YAKUB

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Saeed S. Shaikh, Advocate for the Petitioner.
Mrs. V. N. Patil-Jadhav, AGP for Respondents-State.
Mr. Eknath P. Sawant and Mr. M. P. Kale, Advocate
for Respondent No.3.
Mr. Balaji S. Chondhekar, Advocate for Respondent
Nos.5 to 8.

...

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATED : 18th JANUARY, 2019.

PER COURT:-

1. The petitioner had applied to the Gram Panchayat seeking no objection to start the medical shop in village Dhoregaon, Tq. Gangapur, Dist. Aurangabad. The Gram Panchayat passed a resolution negating the application.

2. We have heard the learned counsel for the petitioner and the learned counsel for respondents.

3. The resolution as is passed cannot be supported under any provisions of law. The ground on which the application of the petitioner is rejected certainly does not appear to be sound.

4. The learned counsel for the Gram Panchayat on instructions submits that Gram Panchayat will reconsider the application of the petitioner. There are some deficiencies of documents.

5. The Gram Panchayat, Dhoregaon shall reconsider the application filed by the petitioner for issuance of no objection for opening medical shop and certainly shall not reject it on the ground mentioned in the impugned resolution. The petitioner shall comply the deficiencies, if any, with the Gram Panchayat. The decision shall be taken by Gram Panchayat expeditiously and preferably within a period of eight (08) weeks.

6. Writ Petition is disposed of. No costs.

(A. M. DHAVALÉ)
JUDGE

(S. V. GANGAPURWALA)
JUDGE