

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14412 OF 2018

Madan Mahadev Choughule

.. **Petitioner**

Versus

The State of Maharashtra and others .. **Respondents**

Mr. V. D. Salunke, Advocate for the Petitioner.

Mrs. A. V. Gondhalekar, Addl. G. P. for Respondents.

CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 8th JANUARY, 2019

PER COURT :

1. Mr. Salunke, learned counsel for the petitioner submits that though the petitioner had filed an appeal before the Sub-Divisional Officer, Kalamb against the order levying of penalty. The appeal was to be heard along with the stay petition. The same was also heard finally. However, before the judgment could be delivered by the Sub-Divisional Officer show cause notice is issued for attachment of the land.

2. The learned counsel for the petitioner further submits that the Sub-Divisional Officer has dismissed the appeal on 31.12.2018 and immediately the petitioner filed an appeal before the Collector along with the stay petition. The stay petition is not yet heard by the Collector.

3. We have heard the learned Additional Government Pleader also.

4. The parties shall appear before the Collector in the pending appeal on 21.01.2019. The Collector shall decide the stay petition within a period of 15 days from the date of appearance. Till the stay petition is decided, the order dated 28.12.2018 passed by this Court shall continue.

5. The writ petition accordingly stands disposed of. No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

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