

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 15225 OF 2019

Mohd. Akhtar Mohd. Arif Shaikh & others Petitioners

Versus

The State of Maharashtra & others Respondents

Mr. S.S.Thombre, advocate for the petitioners.
Mrs. G.L. Deshpande, AGP for Respondents No. 1 to 3.

**CORAM : S.V.GANGAPURWALA &
AVINASH G. GHAROTE, J J.**
DATE : 17th December, 2019

PER COURT:

1. We have heard Mr. Thombre, learned counsel for petitioners and learned AGP for respondents No. 1 to 3.

2. According to the learned counsel for the petitioners, the writ petition with regard to the alleged encroachment is pending before this Court. This Court has passed an order of *status quo*. When the matter is sub judiced before this Court, the Collector ought not to have taken up the proceedings for disqualification. The learned counsel for the petitioners submits that the matter before the Collector is in respect of disqualification of the petitioners and explanation is also called from the petitioners.

3. An opportunity of hearing is given to the petitioners. The petitioners can bring all the facts to the notice of the Collector. Naturally, the Collector will consider the explanation given by the petitioners in accordance with law.

4. In the light of above, writ petition is disposed of. No costs. All contentions raised by the petitioners are kept open.

AVINASH G. GHAROTE
JUDGE

S.V.GANGAPURWALA
JUDGE

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