

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10602 OF 2019

Ganesh Sukhdev Gurule

...Petitioner

vs.

Dy. Chief Executive Officer, Zilla Parishad, Nasik
and Ors.

...Respondents

Mr. Padmanabh D. Pise for the Petitioner.

Mr. Y. S. Khochare, AGP for the Respondents.

**CORAM : B. P. DHARMADHIKARI &
SMT. ANUJA PRABHUDESSAI, JJ.
DATE : 10/10/2019.**

PC.:

. Heard respective counsel. Learned AGP is seeking time to obtain instructions for the time within which appeal under section 39(3) of Maharashtra Village Panchayat Act, 1959 can be decided.

2. Learned counsel for the petitioner submits that appeal is pending since last more than 2 months, when law mandates its disposal within 30 days. Election to fill in vacancy caused by removal of petitioner has been held yesterday only. It is obvious that election held during pendency of appeal is subject to its outcome. We therefore direct the State Government to take suitable decision on the said appeal finally within a period of 6 weeks after communication of this order.

3. The Petitioner to communicate this order to the Appellate Authority. The petition is partly allowed and disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

(B. P. DHARMADHIKARI, J.)