

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.7122 OF 2019

Kamal Ramdas Talse, Tah. Warora, Dist. Chandrapur

-vs-

The Divisional Commissioner, Nagpur and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. D. Malke, Advocate for petitioner.

Shri A. M. Kadukar, Assistant Government Pleader for
respondent Nos.1 and 5.

Shri P. M. Giratkar, Advocate for respondent Nos.2 & 3.

Shri A. R. Fule, Advocate for respondent No.4.

CORAM : A. S. CHANDURKAR, J.

DATE : November 27, 2019

The petitioner who was holding the post of Sarpanch has been removed by order dated 24/09/2019 passed by the Divisional Commissioner under Section 39(1) of the Maharashtra Village Panchayats Act, 1958. It is submitted that an appeal under Section 39(3) of the said Act has been filed before the State Government on 11/10/2019. However as the appellate Authority is not available, the petitioner has approached this Court.

Considering the fact that statutory appeal has been preferred by the petitioner along with an application for grant of interim relief, the interests of justice would be served by directing the appellate Authority to decide the application for stay after hearing all parties preferably within period of six weeks from today. All points raised in writ petition are kept open. The writ petition is disposed of. No costs.

JUDGE