

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

919 WRIT PETITION NO.4942 OF 2020

**SAHEL BIN AMER CHAUS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Sayyed Tauseef Yaseen

AGP for Respondent: Mr. P.N. Kutti

Advocate for Respondent No. 4 : Mr. V.D. Salunke

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CORAM : MANGESH S. PATIL, J.

DATE : 07.10.2020

PER COURT :

As was observed in the order passed on the last date, learned advocate Mr. Sayyed Tauseef Yaseen, on instructions, seeks leave to withdraw the Writ Petition with liberty to prefer statutory Appeal as provided under Section 56(4) of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Township Act, 1965.

2. The learned advocate Mr. Sayyed Tauseef Yaseen, however, submits that since the petitioner is a directly elected President, the Appellate Authority may be directed to decide his Appeal in a time bound manner.

3. The anxiety of the petitioner can very well be understood. However, it would not be appropriate for this Court at this stage in this matter to pass some directions contingent upon happening or not happening of some uncertain event during the course of hearing of the Appeal. It would be appropriate to allow the Appellate Authority to ponder upon and

decide the matter according to its own merits.

4. Leave is granted.

5. The Writ Petition is disposed of as withdrawn with liberty to the petitioner to prefer an Appeal under Section 56 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Township Act, 1965. The Appellate Authority shall decide the Appeal as early as possible.

(MANGESH S. PATIL, J.)