

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

WRIT PETITION NO.6667 OF 2020

Keshavrao S/o Ramrao Talekar,
Age 50 years, Occ. Agri,
R/o Perjapur, Tq. Bhokardan, Dist. Jalna.

... PETITIONER

VERSUS

1. The State of Maharashtra,
through its Principal Secretary,
Rural Development Department,
Mantralaya, Mumbai.
2. The Hon'ble State Minister,
Rural Development Department,
Mantralaya, Mumbai.
3. The Additional Secretary,
Rural Development Department,
Mantralaya, Mumbai.
4. The Additional Divisional Commissioner,
Aurangabad Division, Aurangabad.
5. The Chief Executive Officer,
Zilla Parishad, Jalna.
6. Sakhubai W/o Annarao Khakale,
Age 60 years, Occ. Household & Sarpanch,
R/o Perjapur, Tal. Bhokardan, Dist. Jalna.

... RESPONDENTS

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Advocate for Petitioner : Mr. S.S. Thombre
AGP for Respondent/State: Mr. P.N. Kutti

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CORAM : MANGESH S. PATIL, J.

DATE : 19.10.2020

JUDGMENT :

Heard. Rule. The Rule is made returnable forthwith.

2. The petitioner had filed an application alleging about the respondent No. 6 having incurred a disqualification under Section 39 (1) of the Maharashtra Village Panchayats Act, 1959. Ultimately the Divisional Commissioner by the order dated 03.08.2020 had confirmed the disqualification of the respondent No. 6. Being aggrieved, it appears that the respondent No. 3 has moved the State Government.

3. The petitioner having received the letter dated 13.08.2020 written by the Under Secretary to the Divisional Commissioner informing about the learned Minister having stayed the order of the Divisional Commissioner, is before this Court.

4. The learned advocate for the petitioner submits that no separate order was passed by the Minister and only by way of this letter, the operation of the order of the Divisional Commissioner has been stayed.

5. The learned AGP was asked to take instructions and now makes a statement on the basis of written instructions that the learned Minister has now fixed the Revision under Section 39 (3) of that Act on 26.10.2020 and even the petitioner has been called upon to remain present.

6. It is in view of such state of affairs, the Writ Petition is disposed of with a request to the learned Minister to decide the Appeal as early as possible and in any event within two weeks, since the term of the respondent No. 6 would come to an end in December 2020. The Rule is made absolute.

(MANGESH S. PATIL, J.)