

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.363/2020

Joep Khan Bismillah Khan

..V/s..

Divisional Commissioner, Amravati and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.R. Deshpande, Advocate for the petitioner.
Shri A.M. Kadukar, A.G.P. for respondent Nos.1 to 3.
Shri P.A. Kadu, Advocate for respondent No.4.

CORAM : RAVINDRA V. GHUGE, J.

DATED : 20.1.2020.

1] Heard Shri Deshpande, Advocate for the petitioner.

2] The learned Advocate for respondent No.4 submits that the impugned order dated 15.1.2020 has already been implemented. The result of the voting held on 8.6.2018 to elect a new Sarpanch to the village Grampanchayat Dongaon, has been declared today.

3] It is further submitted that the petitioner is Up-Sarpanch and he was holding the charge of Sarpanch. The earlier Sarpanch was disqualified under Section 39 of the Maharashtra Village Panchayats Act on the ground of disgraceful conduct.

4] The learned A.G.P. clarifies that the Sarpanch, who was disqualified, had approached the Hon'ble Minister and the disqualification has been sustained. He has moved a writ petition before this Court bearing W.P. No.4034/2018. The same is pending. *Ad interim*

protection is granted only to the extent of protecting the membership of the disqualified Sarpanch Smt. Anuradha Arun Dhande as she was disqualified as Sarpanch for a conduct unbecoming on the part of a Sarpanch.

5] Considering the above and since a substantive petition filed by the former Sarpanch, who is aggrieved by his disqualification, is pending before this Court, this petition is **disposed off**. No costs.

(RAVINDRA V. GHUGE, J.)

Tambaskar.