

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

WRIT PETITION NO. 6747 OF 2019

Sau. Dwarkabai w/o Prabhakar Sangle

vs.

The State of Maharashtra through Secretary, Deptt. Of Rural Development,
Mumbai and others

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

Court's or Judge's orders

Shri. P. B. Patil, counsel for petitioner.
 Smt. Mrunal Naik, AGP for respondents No.1 & 2
 Shri. S. S. Dhengale, counsel for respondent No.3

CORAM : MANISH PITALE J.

DATED : 05/02/2020

This Court had issued notice in this writ petition on 04/10/2019, and interim stay to the impugned order was granted primarily, because of non availability of the Appellate Authority of the State Government at the relevant time, due to enforcement of Code of conduct.

2. Since the situation has now changed and the Appellate Authority of the State Government i.e. concerned Minister is available and the record shows that the petitioner has already filed appeal under Section 39 (3) of the Maharashtra Village Panchayats Act, 1959, it would be appropriate that this writ petition is disposed of with liberty to the petitioner to pursue the appeal already filed before the Appellate Authority.

3. In view of the above, writ petition is disposed of with a direction that interim order as granted by this Court shall remain in operation for a period of **three weeks** from today. The petitioner would be at liberty to pursue the appeal and stay application already filed before the Appellate Authority of the State Government. The rival parties shall appear before the said Appellate Authority on **18th February, 2020**.

4. It is made clear that this Court has not expressed any opinion on the merits of the matter.

JUDGE