

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

WRIT PETITION NO. 7249 OF 2019

Shantaram Harischandra Dandi

Vs.

The Divisional Commissioner, Amravati Division, 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

Mr. S.D. Chopde, Advocate for the petitioner
Mr. A.B. Moon, Advocate for the respondent no.7.
Mr. Nikhil Joshi, AGP for respondent no.1.
Ms Gayatri Reve, Advocate for respondent nos. 2 to 5.

CORAM : MANISH PITALE, J.

DATED : JANUARY 24, 2020

This writ petition was filed challenging an order of removal of Sarpanch by exercising of power under Section 39(1) of the Maharashtra Village Panchayats Act, 1959 (hereinafter referred as "said Act"). Since, the Appellate Forum under Section 39(3) of the said Act was not available due to enforcement of Model Code of Conduct, this writ petition was entertained, notices were issued and ad interim order was granted in favour of the petitioner.

2. The respondents have entered appearance. It is not disputed that now the Appellate Forum before the State Government is available and that the appeal already filed by the petitioner under Section 39(3) of the said Act can be entertained and disposed of by Appellate Authority.

3. In view of the above, the present writ petition is disposed of with a direction to the Appellate Authority of the State Government to dispose of the appeal filed by the petitioner within a period of five weeks from today. The interim order dated 22.10.2019 granted by this Court shall continue to operate during the pendency of the said appeal.

JUDGE

srwagh