

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

WRIT PETITION NO.7700 OF 2020

1. Mohamad Javed s/o. Haji Abdul Gani
2. Shamimbano w/o. Anwarkhan Pathan,
3. Sow.Surekha w/o. Sadashiv Satav ..Petitioners

Vs.

The State of Maharashtra,
Through its Secretary,
Urban Development Department,
Mantralaya, Mumbai – 32
and others ..Respondents

Mr.S.S.Gangakhedkar, Advocate for petitioners
Mr.S.P.Tiwari, AGP for respondent nos.1 and 2
Mr.G.K.Naik-Thigale, Advocate for respondent nos.4 and 5

**CORAM : R.G. AVACHAT, J.
DATE : JANUARY 19, 2021**

PER COURT :-

Heard.

2. Petitioners have been disqualified in terms of Section 3(1)(b) of the Maharashtra Local Authority Members' Disqualification Act, 1986. The petitioners first challenged said order before the Hon'ble Minister. The Hon'ble Minister had stayed said order vide his order dated 20.02.2019. Lateron, vide order dated 29.10.2020, Hon'ble Minister vacated said order

without assigning any reason. Said order is under challenge in this Writ Petition. Stay to the impugned order has been operating till date.

3. It is informed that the term of the petitioners would be over by the end of this month.

4. I have also heard learned counsel for both sides on merits of the matter.

5. It is desirable not to make any observation in this regard since Hon'ble Minister may be influenced thereby. Continuing with the interim order, Minister concerned would do well to decide the appeal within a period of four weeks from the date of receipt of a copy of this order. Writ Petition stands disposed of accordingly.

6. All contentions of the parties are kept open.

7. Parties to act on authenticated copy of this order. Learned AGP shall inform the concerned.

[R.G. AVACHAT, J.]

KBP