

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 3851 OF 2021**

Rameshwar Bhimrao Talekar and others ... Petitioners

Versus

The State of Maharashtra and others ... Respondents

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Mr. S.S. Patwardhan alongwith Mr. Ankit Dhindole for the Petitioners.

Mr. Irfan Shaikh alongwith Ms. Priyanka Chavan and Ms. Sarika Shetye instructed by Mr. S.B. Shetye for Respondent No.6 – State Election Commission.

Mr. R.S. Pawar, AGP for the State.

Mr. Avinash Sanas, Deputy Commissioner, State Election Commission, Present.

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CORAM : S.J. KATHAWALLA AND

MILIND N. JADHAV, JJ.

DATED : AUGUST 31, 2021.

P.C. :-

1. On 25th August, 2021, this Court inter-alia passed the following order :

"1. Shri Rajesh Kumar, Additional Chief Secretary, Rural Development Department, Mantralaya, Mumbai, is present before us through video conferencing. He states that the proposal submitted on 15th February, 2020 for alteration of boundaries of Village Vangi and creation of four separate villages, is accepted by the State Government. However, the same is not implemented in view of the guidelines of the State Election Commission not to change the boundaries of a Village Panchayat six months prior to the holding of elections. Since the elections are not held since the last several months and are not likely to be held in the near future, Mr. Avinash Sanas, Dy. Commissioner, State Election Commission, shall appear before this Court by himself and/or through video conferencing on 31st August, 2021 at 10.30 a.m. Stand over to 31st August, 2021."

2. From the said Order, it is clear that the State Government has already accepted the proposal for alteration of boundaries of Village Vangi and creation of four separate villages. Pursuant to the above Order, Mr. Avinash Sanas, Deputy Commissioner, State Election Commission, is present before us. He states that the State Election Commission has no objection if the State Government proceeds to issue the necessary notification for alteration of boundaries of Village Vangi and creation of four separate villages. The statement is accepted. The State Government shall accordingly proceed to issue the necessary notification at the earliest. The Learned AGP states on instructions that the State Government shall comply with the directions of this Court within a period of eight weeks from today. The statement is accepted as an undertaking given to this Court. The above Writ Petition is accordingly disposed off.

(MILIND N. JADHAV, J.)

(S.J. KATHAWALLA, J.)