

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5461 OF 2021

Yogini D. Khandage .. Petitioner.
v/s.
The Additional Divisional Commissioner
& Others .. Respondents.

Mr. Tushar Sonawane, for the Petitioner.
Ms. Vaishali Nimbalkar, AGP for the Respondent-State.
Mr. Ashok B. Tajane, for Respondent No.3.

CORAM: G.S. KULKARNI,J.
DATED : 29th SEPTEMBER, 2021.

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PC:-

By an order dated 23rd March, 2021 passed by the Collector, Pune, an application been moved by Sou. Ujjwala Balaji Gawade against the Petitioner & three others, the Petitioner was held to be disqualified to continue as member of Gram Panchayat member/ Sarpanch of the Gram Panchayat of Village Mouje Deogaon, Tal. Ambegaon, District Pune under the section under 14 (j-3) of the Maharashtra Village Panchayat Act, 1959 (the 'Act').

2 Being aggrieved by the said order passed by the Collector, the Petitioner has approached the Additional Divisional Commissioner, Pune by an Appeal filed under Section 16 of the said Act.

3. Considering that the challenge as raised in the petition is to an order passed by appellate authority on the stay application and as the

appeal itself would now be taken up for hearing, in my opinion, no interference is called for at this stage in the interim orders passed by the appellate authority-Additional Divisional Commissioner.

4 It is appropriate that the Petitioner pursues his Appeal which is pending before the appellate authority and as informed is kept for final hearing on 8th October, 2021.

5 Writ Petition is disposed of in the above terms.

6 All contentions are kept open.

(G.S. KULKARNI,J.)