

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

WRIT PETITION NO.3299/2021

Sau Sunita Pruthaviraj Meshram

...Versus...

**State of Maharashtra through its Hon'ble Minister of Rural Development
Mantralaya, Mumbai and others**

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

Court's or Judge's orders

Shri V. G. Dhage, Advocate for petitioner.
Shri S. D. Sirpurkar, AGP for respondent nos.1 and 2.
Shri Aakash Tiwari, Advocate for respondent no.6

CORAM : AVINASH G. GHAROTE, J.

DATE : 02/09/2021

This petition challenges the order dated 2.8.2021 passed by the respondent no.2, whereby the application filed by the respondent no.3, under the provision of Section 39 (1) of the Maharashtra Village Panchayats Act, has been accepted and the petitioner has been declared to be ineligible to continue to the post of Sarpanch of Gram Panchayat, Tekadi Tq. Parseoni, Dist Nagpur.

2. The petitioner has already preferred an appeal under Section 39(3) of the Maharashtra Village Panchayats Act, before the respondent no.1, which is presently pending.

In view of which, the present petition is clearly not maintainable. The same is accordingly dismissed.

3. The learned counsel for the petitioner, raises the grievance that the appeal has not been heard and decided by the respondent no.1, though several requests have been made in that regard.

4. Considering that the order dated 2.8.2021, has declared the petitioner ineligible for the post of Sarpanch, the respondent no.1 is requested to decide the appeal within a period 30 days from the date of receipt of the order of this Court.

5. The petitioner and learned AGP, is directed to place the copy of this order before the respondent no.1, within a period of a week from today.

(AVINASH G. GHAROTE, J.)