

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

WRIT PETITION NO.2679 OF 2022

**ARCHANA SANTOSH NEHARKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Nilkanth P. Bangar
AGP for Respondents – State : Mr. S. W. Munde
Advocate for Respondent Nos. 3 & 4 : Mr. P. D. Suryawanshi
Advocate for Respondent Nos. 5 to 7 : Mr. I. K. Wagh

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 11TH MARCH, 2022

PER COURT :

1. The appeal is filed by the petitioner under Section 39 of the Maharashtra Village Panchayat Act, 1959, before respondent No.1 on 23-12-2021. Time of one month is provided for decision of the said appeal. It is the grievance of the petitioner that in spite of lapse of more than two months, even notices are not issued in the said appeal.

2. While issuing notice on 23-02-2022, this Court orally requested the learned Assistant Government Pleader to take instructions as to within how much time the appeal shall be decided. The learned Assistant Government Pleader accordingly contacted respondent No.1, however, he was asked to send written communication seeking instructions in that behalf. Accordingly, the learned Assistant

Government Pleader forwarded mail on 07-03-2022 seeking instructions as to within how much time the appeal filed by the petitioner before the Hon'ble Minister shall be decided. The learned Assistant Government Pleader was at pains to inform this Court that no such instructions are received by him.

3. Taking into consideration the fact that the Assembly is in session till 25-03-2022, respondent No.1 shall decide the appeal filed by the petitioner on or before 25-04-2022. The parties to appear before respondent No.1 in the appeal on 28-03-2022. Formal notice is dispensed with.

4. Writ petition is accordingly disposed off.

(NITIN B. SURYAWANSHI, J.)