

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

WRIT PETITION NO. 2737 OF 2022

Ram Digambarrao Chidrewar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Anand V. Indrale Patil, Advocate for the Petitioner.

Shri P. N. Kutti, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 24TH FEBRUARY, 2022.

FINAL ORDER :

. The learned counsel for the petitioner submits that, the Collector be directed to consider and decide the preliminary objection regarding his jurisdiction to deal with the proceedings filed before him by a private respondent.

2. Heard the learned counsel for the petitioner. The learned counsel for the petitioner submits that, the petitioner has raised an objection before the Collector that a private person does not have right to move U/Sec. 308 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965. According to the learned counsel, though the objection is raised on 04.01.2022, the said objection is not decided and the Collector is deciding the matter finally.

3. We are not inclined to stall the proceedings before the Collector. Naturally when the contentions are raised by the parties, the same are required to be addressed by the authority while deciding the matter. The Collector shall also consider the objection raised by the petitioner on its own merits, in accordance with law while deciding the proceedings. All contentions of the parties shall be considered by the Collector and decision shall be taken on its own merits. The writ petition is disposed of. No costs.

[S. G. DIGE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb.22