

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

904 WRIT PETITION NO.4097 OF 2022

THE MUNICIPAL COUNCIL THROUGH ITS CHIEF OFFICER UTKARSH
SOPANRAO GUTTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Girish K. Naik Thigle
G.P. for Respondents State: Mr. D. R. Kale
Advocate for Respondent No.5 : Mr. S. S. Thombre h/for Mr. A.A.
Mukhedkar and Mr. B.S. Mundhe

CORAM : R.D. DHANUKA & S. G. MEHARE, JJ.
DATE : 29th April, 2022

ORDER:

1. The matter was argued for some time by the learned counsel for the parties.
2. Mr. Thombre, the learned counsel for respondent No.5 states that his client has already filed an appeal before the learned Minister bearing No. TPS-3220/678/Pra.kra.32/2021/Navi-30 and the same is pending before the learned Minister. He prays that the said appeal be directed to be heard expeditiously. The statement is accepted.
3. The State Government is directed to dispose of the said appeal preferred by respondent No.5 expeditiously and shall make endeavour to dispose of the appeal on or before 30th July, 2022.

4. Learned counsel for respondent No.5 states that his client will not seek unnecessary adjournments before the learned Minister during the course of hearing of the appeal. The statement is accepted.

5. Interim order passed by this Court on 7th April, 2022 in this writ petition directing respondent No.5 not to use and occupy the premises which is subject matter of the notice issued by the Municipal Corporation till further orders to continue during the pendency of the said appeal and for a period of two weeks from the date of communication of the order by the learned Minister to the Municipal Corporation, if the same is adverse to the Municipal Corporation.

6. Writ petition is disposed of. No order as to costs.

7. It is made clear that this Court has not expressed any view upon the merits of the pending appeal. All contention of the parties are kept open.

(S. G. MEHARE, J.)

(R.D. DHANUKA, J.)

JPC