

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

WRIT PETITION NO.5707 OF 2022

**KUNDALIK MANSING CHAVAN
VERSUS
HONBLE MINISTER RURAL DEVELOPMENT AND PANCHAYAT RAJ
DEPARTMENT AND OTHERS**

...
Advocate for Petitioner : Mr. Ravindra Vitthal Gore
AGP for Respondents no. 1 to 3 : Mr. S. B. Pulkundwar
...

CORAM : MANGESH S. PATIL, J.

DATED : 06 JULY 2022

PER COURT :

Heard the learned advocate for the petitioner.

2. He submits that though the respondent no.4 was disqualified under section 39(1) of the Maharashtra Village Panchayat Act, by the order under challenge, the learned Minister in an appeal under section 39(3) of the Act has stayed operation of the order passed by the Divisional Commissioner, without extending any opportunity to him of being heard. He points out that the stay was granted almost 14 months back and since thereafter the hearing has not taken place. He submits that it was a serious matter wherein the respondent no.4 was trapped red-handed.

3. I have heard the learned AGP. Instead of examining legality or otherwise of the order passed by the learned Minister, it would be appropriate that the petition is disposed of with a hope that the learned Minister would now decide the appeal expeditiously.

4. Writ petition is disposed of.

5. The learned Minister shall expedite the hearing of the appeal and shall decide it within three months.

(MANGESH S. PATIL, J.)

Tandale/-