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

909 WRIT PETITION NO.7105 OF 2022

KHUTIJABI BABU TAWAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH
DEPARTMENT OF URBAN DEVELOPMENT AND OTHERS

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Mr S. S. Khoche, Advocate h/f Mr D. P. Palodkar, Advocate for
petitioner;
Mr D. R. Kale, G.P. for respondents/State
Mr A. B. Kadethankar, Standing Counsel for respondent No.2

**CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.**

DATE : 20th July, 2022

PER COURT:

1. The petitioner has put forth prayer clause (B), which reads
as under :-

“(B) The Hon’ble High Court may be pleased to issue appropriate writ or order in the nature of writ, and thereby direct the respondent No. 3 to decide the appeal filed by the petitioner against the disqualification order passed by the respondent No. 4 within stipulated period of 15 days and till then restrained the respondent No. 2 from proceeding with the election process of bye election of Ward No. 5-A of Municipal Council, Kinwat, District Nanded.”

2. The learned Chief Government Pleader submits that the Council of Ministers are being formalized and within a short

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period, the portfolio would be allotted.

3. We appreciate the difficulty expressed by the learned Chief Government Pleader. In the light of the prayers put forth, the learned Advocate for the petitioner submits that this petition may be disposed off with certain directions that the pending proceedings would be decided within a time frame.

4. In view of the above, this petition is disposed off with the following directions:-

(a) After the Minister for Social Justice, State of Maharashtra, assumes the charge of his Ministry, notices would be issued to all the litigating parties, if any, in the appeal preferred on 10/03/2022, under Section 44 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965, within a period of four weeks.

(b) The parties shall appear before the Hon'ble Minister on the date assigned in the notice and participate in the proceedings.

(c) The said proceedings shall be concluded and decided, on or before 21/10/2022.

(ANIL L. PANSARE, J.)
sjk

(RAVINDRA V. GHUGE, J.)