

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 6908/2022

(Gram Panchayat, Fulchur Vs. State of Maharashtra & ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. G. A. Kunte, Advocate for petitioner.
Mr. T. H. Khan, AGP for respondent Nos. 1 to 4.

CORAM : VINAY JOSHI, J.
DATED : 08/12/2022.

Heard.

2. The petitioner, Gram Panchayat has challenged the order dated 18.02.2022 passed by the Collector for grant of grazing land for erection of godown for keeping EVM/VVPAT machines. It is submitted that despite requisite resolution passed by the Gram Sabha, the said decision is taken. Besides that without giving right of hearing to the Gram Panchayat, the Collector acted in hasty manner in granting permission

3. The remedy of revision is available to challenge the order before the Divisional Commissioner. In earlier round of litigation, similar order was passed by the Collector which was questioned in revision by some of the villagers and after remand, the impugned order has been passed.

4. Since there is alternate efficacious remedy available, the writ petition cannot be entertained. Hence, petition stands disposed of.

5. The parties to maintain status-quo for four weeks from today, during which the petitioner may file revision and seek for interim relief to the Appropriate Authority.

6. If the revision is filed within two weeks then the Authority shall endeavour to decide the same within four weeks thereafter.

(VINAY JOSHI, J.)

Gohane

Digitally
signed by
JITENDRA
BHARAT
GOHANE
Date:
2022.12.08
19:21:18
+0530