

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

WRIT PETITION NO.4680/2022

Sau. Nikita w/o Nanaji Hemne and another

...Versus...

The Additional Commissioner, Nagpur Division, Nagpur and others

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

Court's or Judge's orders

Shri Bhojraj Dhandale, Advocate for petitioners
Shri N.R. Patil, AGP for respondent nos.1 to 3/State

CORAM : AVINASH G. GHAROTE, J.

DATE : 10/08/2022

1. Heard Shri Dhandale, learned counsel for the petitioners and Shri Patil, learned Assistant Government Pleader for the respondent nos.1 to 3/State.

2. The only grievance raised in this petition is that the seat of the Divisional Commissioner, who is empowered to hear the appeals under Section 16 of the Maharashtra Village Panchayats Act, 1959 was vacant and the additional charge was given to the learned Additional Commissioner, who went on training, as a result of which, the charge was handed to the Municipal Commissioner. The post of the Divisional Commissioner, Nagpur has already been filled up and

therefore, it is permissible for the present incumbent to hear the matter.

3. Since an appeal challenging the disqualification under Section 14 (1) (j-1) of the Maharashtra Village Panchayats Act has already been filed on 29/07/2022 and was not being heard because of the above situation, the order of disqualification dated 19/07/2022 is hereby stayed for a period of one week from today and the learned Divisional Commissioner, Nagpur or her delegate is directed to hear and decide the appeal within the aforesaid period.

4. The writ petition is accordingly disposed of in the above terms. No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar