

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

908 WRIT PETITION NO.1486 OF 2023

GAJANAN FULAJI MUTKULE
VERSUS
OMPRAKASH DATTARAO MUTKULE AND OTHERS

...
Advocate for Petitioner : Mr Y.K. Bobade
AGP for Respondent/State : Mr. G.O. Wattamwar
...

**CORAM : ARUN R. PEDNEKER, J.
DATED : 07/02/2023**

PER COURT :

1. By the present writ petition, the petitioner is challenging the interim order dated 16.12.2022 passed by the learned Additional Divisional Commissioner-2, Aurangabad/respondent No. 2 in File No. 2022/Gram/Appeal-2/CR-143/2022 wherein the order dated 21.11.2022 passed by the Collector/respondent No. 3 is stayed. Respondent No. 1 has incurred disqualification by virtue of order dated 21.11.2022 passed by the Collector under section 14(1)(J-3) of the Maharashtra Village Panchayat Act, 1958.
2. As the challenge is to an interim order, any observation made by this Court would prejudice the parties. As such, Additional Divisional Commissioner-2 is directed to decide the appeal on its own merits as early as possible and not beyond the period of three months from today. Parties to appear before the Additional Divisional Commissioner on 16.2.2023.
3. The writ petition is disposed of accordingly.

[ARUN R. PEDNEKER J.]

ssc/