

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

906 WRIT PETITION NO.6098 OF 2023

**SAHEBRAO KONDIBA KSHIRSAGAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE DISTRICT
COLLECTOR AND OTHERS**

...

Advocate for Petitioner : Patil Nileshsingh J
AGP for Respondent Nos. 1 to 3 State : Mr. S.P.Tiwari

...

CORAM : KISHORE C. SANT, J.

DATE : 09.06.2023.

PER COURT :

1. Looking to the nature of the petition that it is filed against the order passed by the learned Additional Commissioner, Aurangabad dated 22.05.2023, thereby rejecting the application for stay in appeal pending before him bearing No.2023/Grampanchyat/CR/P/appeal/1/CR/42. The apprehension of the petitioner is that since the appeal is kept for hearing on 28.06.2023, the election to the post of Sarpanch may be held as he is declared as disqualified by the Collector to hold the post of Sarpanch.

2. Issue notice to the respondent Nos. 1 to 3 State. The

learned AGP waives service of notice for Respondent Nos. 1 to 3.

3. No notice is necessary for respondent No. 4.

4. This Court finds that this petition can be disposed off with observation that, if the election takes place in the mean time, that is till next date of hearing i.e. 28.06.2023, the result of the election shall be subject to outcome of the appeal before the learned Additional Commissioner.

5. The Writ Petition is disposed of in above terms.

(KISHORE C. SANT)
JUDGE

mahajansb/