

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

WRIT PETITION NO.13004 OF 2023

RUKHMINIBAI GORAKH THAKRE (BHIL)
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

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Advocate for the petitioner : Mr.S.S.Thombre
AGP for the respondent – State : Mr.N.T.Bhagat
Advocate for the respondent no.2 : Mr.A.B.Kadethankar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 16.10.2023

P.C. :

1] Heard the learned counsel for the petitioner.

2] The learned counsel for the petitioner submits that the petitioner is disqualified under Section 14 (1) (g) of the Maharashtra Village Panchayats Act as Sarpanch of the village panchayat Songir, Taluka and District Dhule. On disqualification of the petitioner, the petitioner has filed an appeal before the respondent no.3. Along with the Appeal, he has filed an application for stay. However, the application for stay is not decided. He further submits that now the election in respect of vacant post has already been

declared and that he has also moved Appellate Authority to consider his application for stay. However, the Appellate Authority has not decided the said application filed by the petitioner in the pending appeal.

3] In view of the same, the Appellate Authority is directed to decide the stay application filed by the petitioner till 20th October, 2023. The learned Tahsildar to intimate this order to the Appellate Authority.

4] It is further clarified that the order passed by the Appellate Authority would be taken into consideration by the election authorities and then to pass the appropriate orders on the conduct of the election.

5] The present Writ Petition is disposed accordingly.

[ARUN R. PEDNEKER]
JUDGE

DDC