

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7576 OF 2023

Irfan Imamuddin Suse & Ors.	}	Petitioners
versus		
The state of Maharashtra & Ors.	}	Respondents

Mr. Anilkumar Patil for the petitioners.

Mr. M. M. Pabale, AGP for State.

Mr. Vishal Patil for respondents 2, 3 and 6 to 10.

Mr. Ajit M. Savagave for respondent no. 4.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ.
& ARIF S. DOCTOR, J.**

DATE: 1st SEPTEMBER 2023

P.C.:

1. Heard Mr. Anilkumar Patil, learned counsel for the petitioners, Mr. Pabale, learned AGP for State, Mr. Vishal Patil for respondents 2, 3 and 6 to 10 and Mr. Savagave for respondent no. 4.

2. After arguing at some length, learned counsel for the petitioners confines his prayer for permitting the petitioners to approach the competent authority under section 39A of the Maharashtra Village Panchayat Act, 1958 and seeking a direction from the Court to the authority concerned to take a decision thereon.

3. Accordingly, without entering into the merits of the claim of the petitioners, we dispose of this writ petition with liberty to the petitioners to move an application/representation to the competent authority under section 39A of the Maharashtra Village Panchayat Act, 1958 within a period of one month from today taking all the pleas which may be available under law and in case such an application is made, the same shall be considered and decided strictly in accordance with law by the authority concerned within some reasonable time.

JAYANT
VISHWANATH
SALUNKE

Digitally signed by
JAYANT VISHWANATH
SALUNKE
Date: 2023.09.02
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(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)