

Dusane

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

WRIT PETITION NO.11369 OF 2023

Kamal Jaywant Kokade & Ors. ...Petitioners

V/s.

State of Maharashtra & Ors. ...Respondents

Mr. S.R. Nargolkar a/w Mr. Arjun Kadam for
Petitioners.

Mrs. M.S. Srivastava, AGP for Respondent Nos. 1 to
3.

Mr. Uttam Maruti Kadam/ Petitioner No. 6 present.

Mr. Ratan L. Adhe i/by Mr. Pankaj P. Deokar for
Respondent No. 4 -Zilla Parishad.

CORAM: MADHAV J. JAMDAR, J.

DATE: 25th September 2023

P.C.:

1. Heard Mr. Nargolkar, learned Counsel appearing for the
Petitioners, Mr. Deokar, learned Counsel appearing for
Respondent No.4 and learned AGP appearing for Respondent
Nos. 1 to 3.

2. The Petitioners are challenging the legality and validity of
the impugned order dated 7th August 2023 passed by the Hon'le
Minister, Rural Development in VPM-2023/Pra.Kra.121/PG6, by
which stay has been granted to the order dated 18th July 2023

passed by the learned Divisional Commissioner, Pune Division, Pune.

3. Mr. Nargolkar, learned Counsel appearing for the Petitioners raised several contentions, however, Mrs. Srivastava, learned AGP submitted that the impugned order is an interim order and after taking instructions submitted that the main Appeal itself will be decided within a period of five weeks from today.

4. In view of the statement made by the learned AGP, Mr. Nargolkar, learned Counsel appearing for the Petitioners states that he has instructions not to press the Writ Petition. The said statement is made on the basis of the instructions given on behalf of all the Petitioners. The instructions are given on behalf of all the Petitioners by Petitioner No. 6- Uttam Maruti Kadam, who is personally present in the Court. Accordingly, the Writ Petition is disposed of by passing following order.

O R D E R

(I) The Hon'ble Minister of Rural Development, State of Maharashtra is requested to dispose of the Appeal bearing No. VPM-2023/Pra.Kra.121/PG6 on or before 30th October 2023. The Hon'ble Minister to dispose of the Appeal without influenced by the observations made in the impugned order dated 7th August 2023.

(II) In view of above directions, the Writ Petition challenging the impugned order dated 7th August 2023, which is an interim order, passed by Hon'ble Minister, Rural Development, Maharashtra State, Mantralaya, Mumbai is not pressed.

(III) It is clarified that this Court has not examined merits of the case and all the contentions of the parties on merits are expressly kept open.

(IV) The Writ Petition is disposed of in above terms with no order as to costs.

BHALCHANDRA
GOPAL
DUSANE

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BHALCHANDRA
GOPAL DUSANE
Date: 2023.09.27
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(MADHAV J. JAMDAR, J.)