

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1155 OF 2023

Madan Kashirao Dhage __ Vs. __ Sarpanch, Village Panchayat and ors

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Parth Ranade, Advocate for petitioner

Mr. Kartik Rao, Advocate h/f Mr. N.A.Gawande, Advocate for Respondent no.3

CORAM : AVINASH G. GHAROTE, J.

DATE : 11/04/2023

The petition challenges the order dated 14.2.2023 whereby the stay granted earlier in point of time by order dated 22.3.2022 by the Divisional Commissioner, Amravati has been vacated.

2] It is contended that no reasons whatsoever have been given for vacating the stay. That apart, the petitioner was not even heard before the stay was vacated on the point of vacation of stay.

3] None appears for respondent nos.1 & 2, though served.

4] Though the contention is opposed by Mr.Rao, learned counsel holding for Mr.Gawande, learned counsel for respondent no.3, the

order-sheet dated 14.2.2023 indicates that an application seeking documents was filed by the petitioner, which came to be rejected and the stay was vacated. In that view of the matter, the impugned order clearly indicates that no opportunity of hearing was afforded on the point of vacation of stay before the same was vacated, in view of which the impugned order cannot be sustained, the same is hereby quashed and set aside.

5] The petition is allowed in above terms.
No costs.

JUDGE

Rvjalit