

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

WRIT PETITION NO. 3857/2023

Dipak Ambadas Gavai and Ors. Vs. The Divisional Commissioner, Amravati Division,
Amravati and Ors.

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

Court's or Judge's order

.....
Mr. R. D. Karode, Advocate for Petitioners.

Mr. A. M. Deshpande, i/c. Government Pleader for Respondent No.1/State.

CORAM : A.S.CHANDURKAR AND MRS.VRUSHALI V. JOSHI,JJ..

DATED : 06.07.2023

. It is the contention of the learned Counsel for the petitioners that in proceedings under Section 39 of the Maharashtra Village Panchayats Act, 1959 an enquiry report has been obtained from the Block Development Officer. Subsequent thereto there is another enquiry report prepared by the Chief Executive Officer. The petitioners therefore seek to challenge the enquiry report submitted by the Block Development Officer dated 10.05.2023.

2. The proceedings are presently pending with the Divisional Commissioner. In accordance with the provisions of Section 39(1) of the said Act, the Divisional Commissioner is required to consider the enquiry report submitted by the Chief Executive Officer. Hence, at this stage, we find that the challenge to the enquiry report submitted by the Block Development Officer is unwarranted. At the conclusion of the proceedings if the petitioners have any grievance, they are free to raise the same in accordance with law. By

keeping the points raised in the writ petition open, it is disposed of.

(MRS.VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

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