

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

WRIT PETITION NO.86 OF 2023

Swaraj Dilip Thote,
age 23 years, occupation :
agriculturist, r/o Gaigao, Taluq
Balapur, District Akola.

... Petitioner

- Versus -

- 1) The State of Maharashtra, through
its Secretary, Rural Development
Department, Mantralaya, Mumbai.
- 2) Divisional Commissioner,
Amravati Division, Amravati.
- 3) Sau. Deepmala Sanjay Wankhede,
age 48 years, occupation : Sarpanch,
r/o Gaigao, Taluq Balapur,
District Akola.
- 4) Village Development Officer,
Gram Panchayat, Gaigao,
Taluq Balapur, District Akola.
- 5) Group Development Officer,
Panchayat Samiti, Balapur,
Taluq Balapur, District Akola.
- 6) Branch Engineer, P.W.D. Department,
Panchayat Samiti, Balapur,
Taluq Balapur, District Akola.
- 7) Chief Executive Officer,
Zilla Parishad, Akola, Taluq and
District Akola.

... Respondents

Shri D.S. Patil, Advocate for petitioner.

Smt. S.S. Jachak, Assistant Government Pleader for respondent nos.1 and 2.

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

DATED : JANUARY 11, 2023

ORAL JUDGMENT (PER A.S. CHANDURKAR, J.) :

Rule. Rule is made returnable forthwith. Heard finally by consent of the learned Counsel appearing for the parties.

2) The petitioner has initiated proceedings seeking removal of member of Gram Panchayat under Section 39(1) of the Maharashtra Village Panchayats Act, 1959.

3) The aforesaid complaint having been filed on 19/4/2022 and the enquiry report having been submitted by the Block Development Officer on 7/11/2022, the petitioner seeks consideration of the matter in terms of time frame provided under Section 39(1) of the said Act. On instructions, Smt. Jachak, learned Assistant Government Pleader for the respondent nos.1 and 2, submits that the next date of the proceedings is 31/1/2023.

4) In view of the fact that the necessary report has been received by the respondent no.2, it is directed that in accordance with Section 39(1) of the said Act, the proceedings shall be finally decided within a period of one month from 31/1/2023.

5) Rule is made absolute in the above terms. The writ petition is disposed of accordingly. No costs.

6) The learned Assistant Government Pleader to communicate this judgment to the respondent no.2.

JUDGE

JUDGE

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