



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 657 OF 2024

Vijaya Alias Ujjwala Babasaheb Bhondge,
Age 55 years, Occu.Agril.,
R/o. Muthewadgaon, Taluka Shrirampur,
District Ahmednagar

.. Petitioner

Versus

1. The Additional Commissioner
Nashik Region, Nashik
 2. The Collector, Ahmednagar,
District Ahmednagar
 3. The Tehsildar, Shrirampur,
Taluka Shrirampur
 4. Ravindra Dinkar Muthe,
Age 36 years, Occu. Agri.,
R/o. Muthe Wadgaon, Taluka Shrirampur,
District Ahmednagar
- .. Respondents

Mr. Manoj A. Dond, Advocate for Petitioner;
Mr. S. N. Kendre, A.G.P. for Respondents No.1 to 3;
Mr. Vivek V. Tarde, Advocate for Respondent No.4

CORAM : S. G. MEHARE, J.

DATE : 26-04-2024

PER COURT :-

1. Heard the learned counsel for the petitioner.
2. The petition has been preferred against the denial of *interim* stay to the order of respondent No.2/Collector, Ahmednagar, whereby the petitioner has been disqualified. The appeal is still pending.

3. Considering the facts of the case, this Court granted stay to the order of respondent No.2/ Collector passed in Gram Panchayat Dispute Application No.42 of 2024 and also stay to the notice dated 12.01.2024 issued by respondent No.3/Tahsildar for no confidence motion against the Sarpanch and not against the petitioner.

4. Learned counsel for respondent No.4 submits that this matter may be disposed of by continuing the stay by direction to respondent No.1/Commissioner to dispose of the appeal within a specific period. Since the order of stay was till disposal of the appeal, membership of the petitioner ought to have been protected by way of granting stay.

5. The reasons mentioned for declaring stay are not legal and proper. Therefore, the order of respondent No.1/the Additional Commissioner, Nashik, passed in Village Panchayat Appeal No.1 of 2024, dated 08.01.2024 stands quashed and set aside and application for stay to the execution of the impugned order of respondent No.2/Collector dated 20.12.2023 is allowed till the conclusion of the appeal.

6. However, to protect the interest of all, respondent No.1/the Additional Commissioner, Nashik Region, Nashik, is requested to decide the appeal at the earliest, after the on going election is over.

7. The order directing respondent No.3/Tahsildar not to proceed with notice dated 12.01.2024 stands vacated.
8. Respondent No.3/the Tahsildar, Shrirampur has liberty to proceed ahead with the said notice.
9. In view of the above, the writ petition stands disposed of.

(S. G. MEHARE)
JUDGE

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