



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

21 WRIT PETITION NO. 5544 OF 2023

ZAITONBI ALIAS JAITUNBI HUZDARKHA PATHAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH DIVISIONAL
COMMISSIONER AND OTHERS

...

Ms. Neha Khobragade, AGP for Respondents State
Mr. H.F. Pawar, Advocate for Respondent No.5

CORAM : Y. G. KHOBRAGADE, J.
DATE : 23rd September, 2024

ORDER:

1. None appeared on behalf of the Petitioner. Ms. Neha Kamble appears on behalf of Respondent No.1 to 4. The learned Advocate Shri Pawar appears for Respondent No.5.

2. On the face of record, it appears that by the present Petition, the Petitioner challenges the judgment and order dated 27.04.2023 passed by the learned Divisional Commissioner, Aurangabad in CR No. 118 of 2021 arising out of order dated 26.08.2022 passed by Respondent No.2 Collector Aurangabad, whereby both the authorities have concurrently held that the Petitioner is disqualified from holding the Post of Member of Gramanchayat, Farola, Dist. Aurangabad on ground that she made an encroachment on the Government land.

3. The learned counsel appearing for Respondent No.5 invited my attention to Paragraph No.6 of the Petition, wherein, the Petitioner herself made averments that after the order passed by the learned Divisional Commissioner, on 18.04.2023, Respondent No.2-Collector issued notification for reelection of Member for Ward No. 2 of Grampanchayat, Farola Tq. Paithan. The learned counsel further submits that in pursuance of the fresh election, Respondent No.5 has been elected.

4. In view of the above, nothing survives in the present Petition. Hence, the Writ Petition is dismissed.

(Y. G. KHOBRAGADE, J.)

JPChavan