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

55 WRIT PETITION NO. 7543 OF 2024

NARAYAN PANDURANG KALE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS**

....

Mr Prashant G. Borade, Advocate for Petitioner;

Mr S. K. Tambe, A.G.P. for Respondent Nos.1 to 4/State

CORAM : RAVINDRA V. GHUGE

AND

Y. G. KHOBRAGADE, JJ.

DATE : 22nd July, 2024

PER COURT:

1. The learned Advocate for the Petitioner has expressed a serious grievance as regards the conduct of Respondent No.3/District Collector, Jalna, as follows :-

(a) The proceedings of the Petitioner under Sections 7 and 36 of the Maharashtra Village Panchayats Act, 1958 were lodged on 09/08/2023.

(b) After a hearing, the matter was closed for orders on 30/01/2024.

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(c) On 27/06/2024, the Petitioner approached the District Collector's office, praying for copies of the Roznama, as well as the decision in the matter. None of these documents are delivered to him.

(d) The District Collector delivered an order on 28/06/2024, but did not even communicate the order to the Petitioner.

(e) In between 30/01/2024 till 28/06/2024, he has lodged at least five representations.

(f) Being exasperated, he preferred this Writ Petition on 10/07/2024.

2. Today, when the matter was called out, the learned A.G.P. is instructed to say that the District Collector has already passed the order on 28/06/2024. He submits the said order has been sent to the Petitioner by ordinary post. Hence, the department does not have an acknowledgment of service.

3. The learned Advocate for the Petitioner submits, on instructions that, the Petitioner was never informed about this order. Had he received a copy, he would not have preferred this

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Writ Petition. He submits that, at least cost of Rs.100/- be imposed on the office of the Collector. Now, that the decision is adverse to the Petitioner, he will again have to file an Appeal.

4. In view of the above and since the Petitioner is made to rush this Court, which could have been avoided had he been promptly served with the order dated 28/06/2024, we deem it appropriate to impose nominal cost of Rs.101/- on the office of the District Collector, to be deposited in this Court within 30 days. The Petitioner would be at liberty to withdraw the said amount under identification of his Advocate.

5. **This Writ Petition is disposed off**, with liberty to the Petitioner to avail of the statutory remedy, as is permissible in law.

6. In the event of limitation, it be considered that the order of the District Collector is served on the Petitioner in the Court today.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk