



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

904 WRIT PETITION NO. 9428 OF 2024

SARIKA SHYAMSUNDAR HULKANE
VERSUS
THE DISTRICT COLLECTOR AND OTHERS

Mr.R.V. Gore, Advocate for the petitioner.
Mr.K.S. Patil, AGP for the respondent-State.
Mr.S.B. Pulkundwar, Advocate for respondent No.2.
Mr.D.P. Munde, Advocate for respondent Nos.3 & 8.
Mr.Umakant B. Deshmukh, Advocate for respondent Nos. 4 to 7.

CORAM : KISHORE C. SANT, J.
DATE : 23.10.2024

PC :-

01. Heard learned Advocates for the parties. The main ground raised in this writ petition is that the learned Collector served notice upon present petitioner in a proceeding under sections 7 and 36 of the Maharashtra Village Panchayats Act, without framing charges and thus the petitioner could not take effective defence in absence of specific charges. The learned Advocate for the petitioner submits that, therefore, it is a fit case where the appeal/proceeding needs to be remanded by quashing and setting aside the impugned order.

02. The petition is, however, opposed by the respondents. The fact that notice was issued without framing charges is, however, accepted by the parties.

03. Considering the above, the following order :-

ORDER

- i. The writ petition is partly allowed.
- ii. Grampanchayat Dispute No. 45 of 2024 stands restored before the learned Collector, Nanded.
- iii. The learned Collector shall issue fresh notice after framing the charges. If necessary, the learned Collector may call for fresh report from Counselor.
- iv. The learned Collector is requested to dispose off the matter before 31.12.2024.
- v. This Court has not expressed anything on the merits of the matter. All points are kept open.

[KISHORE C. SANT, J.]