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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

42 WRIT PETITION NO. 9826 OF 2024
WITH
CIVIL APPLICATION STAMP NO.25426 OF 2024

SANJAY ASHOK ANBHULE AND OTHERS
VERSUS
STATE OF MAHARASHTRA THROUGH THE PRINCIPAL SECRETARY
AND OTHERS

Mr.Mahesh Deshmukh, Advocate for the Petitioners.
Mr.S.R.Wakale, AGP for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : SEPTEMBER 12, 2024

PER COURT :

1. Leave to amend prayer clause “D”. Amendment is permitted to be carried out forthwith. The Civil Application stands disposed off.

2. The learned Advocate for the Petitioners submits on instructions that the Petitioners desire to delete prayer clauses B and C, in the light of subsequent events and would pray only for the consideration of amended prayer clause “D”, which reads as under :-

“D. By issuing writ of Mandamus or any other appropriate writ or order in the like nature, Respondent No.2 may kindly be directed to decide the proceeding filed by the Petitioners u/s 39 of Maharashtra Village Panchayat Act and as per the report submitted by Respondent No.4 dated 01.08.2024 u/s 39 of Maharashtra Village Panchayat Act within 4 weeks.”

3. Since the report of the CEO dated 01.08.2024 is already tendered to the Commissioner in the light of the provisions u/s 39 of the Maharashtra Village Panchayats Act, which prescribes 30 days time for the Commissioner to take a decision, 42 days have lapsed after the submission of the report.

4. In view of the above, we direct the concerned Authority to pass an appropriate order in the pending proceedings u/s 39, in view of the scheme engrafted under the Maharashtra Village Panchayats Act, on or before 30.09.2024.

5. With the above directions, **this Writ Petition is disposed off.**

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)