



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

WRIT PETITION NO. 15154 OF 2023

SHIVAJI BHAURAO LAVANDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Shaikh Ashraf Patel holding for
Mr. Abhijeet P. Avhad
AGP for Respondents No.1 to 3 : Mrs. M. L. Sangit
...

CORAM : S. G. MEHARE, J.

DATE : 09-01-2024

PER COURT :-

1. Heard the learned counsel for the petitioner.
2. Being dissatisfied with rejection of the proposal of respondent No.4/Chief Executive Officer, Zilla Parishad, Ahmednagar, for removal of the petitioner from the office, under Section 39(1) of the Maharashtra Village Panchayats Act, 1959, by respondent No.2/ Divisional Commissioner, Nashik, by order dated 21.07.2023, the petitioner is before this Court.
3. Learned A.G.P. submits that against the impugned order alternate/efficacious remedy of appeal is available under Section 39(3) of the Maharashtra Village Panchayats Act, 1959.

4. Sub-Section (3) of Section 39 of the Maharashtra Village Panchayats Act, 1959, specifically provides for appeal against the order of the Commissioner within a period of fifteen days from the date of the receipt of such order to the State Government.

5. Since the efficacious remedy is available to the petitioner, the writ petition is disposed of with liberty to avail the remedy under Sub-Section (3) of Section 39 of the Maharashtra Village Panchayats Act, 1959, if he desire.

6. Time spent before this Court may be considered for delay condonation.

7. The petition stands disposed of in above terms.

(S. G. MEHARE)
JUDGE

rrd