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

30 WRIT PETITION NO. 15813 OF 2023

**CHANDRAKANT HANUMANTRAO CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS**

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Mr A. R. Devakate, Advocate for Petitioner;
Mr R. S. Wani, A.G.P. for Respondent Nos.1 & 2
Mrs P. V. Diggikar, Advocate for Respondent Nos.3 & 4

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

DATE : 2nd January, 2024

PER COURT:

1. The grievance of the Petitioner of the Village Panchayat Walur, Tq. Selu, District Parbhani is that, as the Proceeding is initiated under Section 39(1)(i) of the Maharashtra Village Panchayats Act, 1959, the Proviso thereunder requires that the Commissioner would seek a report from the Chief Executive Officer. Per contra, the report is tendered by the Deputy Chief Executive Officer, which is only in relation to Clause (ii).

2. The learned A.G.P. representing Respondent No.2/ Divisional Commissioner, Chhatrapati Sambhajanagar has taken instructions and submits that the report tendered by the Deputy

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Chief Executive Officer would not be taken into consideration. The Divisional Commissioner would issue an order to the concerned Chief Executive Officer of Parbhani Zilla Parishad to tender a report within one month and the procedure laid down by law would be followed and the proceedings would be concluded preferably within 30 days after the receipt of the report of the Chief Executive Officer.

3. The learned Advocate representing Respondent Nos.3 and 4/Zilla Parishad, Parbhani, submits that he would communicate the order passed by this Court to the concerned authorities.

4. In view of the above statement made on instructions on behalf of the Divisional Commissioner, **this Writ Petition is disposed off.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

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