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CA 5497 A.T. JADHAVAR.odt

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

**CIVIL APPLICATION NO. 5497 OF 2024
in
WRIT PETITION NO. 4871 OF 2024**

**TANUJA PANDURANG DESHMUKH AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.**

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Mr. A.T. Jadhavar, Advocate for the applicants
Mr. Dhananjay D. Chaudhari, Advocate for respondent No.7
Mr. P.D. Patil, AGP for respondent Nos. 1 to 4.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 18TH JUNE, 2024.

ORDER :-

Not on board. Taken on board.

The order dated 11.3.2024 passed by the Honourable Minister, Rural Development Department, State of Maharashtra in Appeal bearing No VPM-2023/C. No. 51/PS.-6, and order of Additional Commissioner, Aurangabad Division, Aurangabad dated in Appeal No. 2022/G.P./Appeal/Cell/CR-51, are subject matter of challenge in the writ petition No. 4871 of 2024, by which the petitioners have been disqualified to continue on post of Sarpanch and Upa-Sarpanch.

2. This court, after hearing the parties, issued notice vide order dated 8.5.2024 and posted the matter for further hearing on 4.7.2024. Now, by way of present civil application, it is brought to the notice of this Court that the elections against the vacancies of post held by petitioners

have been declared and meeting for election is conveyed on 19.6.2024.

3. When the issue pertaining to legality of the order passed by the Minister and Divisional Commissioner is raised in writ petition which is pending consideration before this court and date for hearing is fixed on 4.7.2024, it would be just and proper to stay the election process initiated vide notice dated 12.6.2024 issued by the Returning Officer and Assistant B.D.O., Panchayat Samiti, Latur for holding the elections of Sarpanch and Upasarpanch of Gram Panchayat, Gondegaon till 4.7.2024 i.e. the date given for hearing of the writ petition.

4. Resultantly, there shall be interim relief in terms of prayer clause (B) till 4.7.2024 only.

5. Parties to act upon authenticated copy of this order. Learned AGP shall communicate the order to the concerned authority.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-