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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.462 OF 2024

Monika G. Patara & Ors.

.. Petitioners

Versus

State of Maharashtra & Ors.

.. Respondents

Mr.Sanjiv Sawant a/w Ms.Bhakti Wast i/by Mr.Samir Suryawanshi for the petitioners.

Mr.N.C. Walimbe, Addl.G.P a/w Mr.R.P. Kadam, AGP for respondent nos.1 to 3.

***CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ.***

DATE : 18th January 2024

PC:-

. Considering the nature of directions proposed to be issued, service of Court notice on respondent no.6 is dispensed with.

2. The grievance of the petitioners is with regard to the manner in which respondent no.6 has been functioning as Sarpanch at Village Tilonda, Taluka Jawahar, District Palghar. In that regard, it is stated that the petitioners had made various representations to the concerned authorities including the Hon'ble Minister for Public Works. However, no further steps have been taken in the matter.

3. It is seen from the averments made in the writ petition that

the petitioners seek to invoke the provisions of Section 39 of the Maharashtra Village Panchayats Act, 1958 (The Act of 1958). Respondent no.2- Divisional Commissioner is the competent authority to consider such grievance under Section 39 of the Act of 1958.

4. In the aforesaid facts, the following directions would serve the ends of justice :-

- (i) The writ petition be treated as a representation made to respondent no.2
- (ii) The petitioners shall place before respondent no.2 a copy of the writ petition for enabling respondent no.2 to consider whether any steps under Section 39 of the Act of 1958 are required to be taken.
- (iii) In case, respondent no.2 seeks to take any further action, same shall be done in accordance with law and after giving a notice to respondent no.6.

5. Keeping all issues on merits open and with direction to respondent no.2 to take further steps expeditiously, the writ petition is disposed of.

JITENDRA JAIN, J.

A.S. CHANDURKAR, J.