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Darshan Patil

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7367 OF 2024

Manish Mahadev Nandgaonkar ...Petitioner
Versus
The State of Maharashtra and Anr. ...Respondents

Mr Rahul More, for Petitioner.
Mr Kedar Dighe, Addl. GP a/w Ms S R Crasto, APG, for the
Respondent-State.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 27 September 2024

PC:-

1. Heard learned counsel for the parties.
2. The petitioner seeks an appropriate writ to the appellate authority i.e. respondent No.1 to dispose of the petitioner's appeal within a period prescribed under Section 39(3) of the Maharashtra Village Panchayat Act 1959 ("**the Said Act**").
3. Section 39(3) of the Said Act provided Any person aggrieved by an order of the Commissioner under sub-section (1) or (2) may, within a period of fifteen days from the date of the receipt of such order, appeal to the State Government and

the Government shall decide the appeal within a period of one month from the date of receipt thereof.

4. By order dated 01 February 2024, the petitioner was disqualified as Sarpanch by the Divisional Commissioner. The petitioner appealed this order on 06 February 2024. The petitioner complains that till date neither his application for ad-interim reliefs nor appeal is being disposed of.

5. Considering the provisions of Section 39(3) of the Said Act we direct the Appellate Authority to dispose of the petitioner's appeal finally within 4 weeks from today. This means that the appeal must be disposed of by 25 October 2024. The decision must be communicated to the petitioner latest by 14 November 2024.

6. Learned Addl. GP Mr Dighe is requested to immediately communicate an authenticated copy of this order to the Appellate Authority.

7. This petition is disposed of in the above terms without any orders for costs. All concerned to act on the authenticated copy of this order.

8. All contentions of all parties are left open.

(Kamal Khata, J)

(M.S. Sonak, J)