



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.5153 of 2024

[Jaykumar Mahadev Tayade **VERSUS** The State of Maharashtra and
others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's order
Registrar's orders.

Shri Pritesh Atkar, Counsel for Petitioner.
Shri H.D. Marathe, Assistant Government Pleader for
Respondent Nos.1 and 2.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : SEPTEMBER 02, 2024

1. It is the contention of the counsel for the petitioner that the provisions of Section 39 of the Maharashtra Village Panchayats Act, 1959 ('the Act of 1959') deal with the appellate remedy against an order of disqualification of a person for the post of Sarpanch. The said provisions, which provide for the procedure to be adopted in the matter of dealing with the issue of disqualification of the person, like the petitioner, for the post of Sarpanch, contemplate the appeal to be decided by the State Government within a period of one month. It is claimed that after the petitioner was disqualified for the post of Sarpanch on June 19, 2024 by the order passed by the respondent No.2- Additional Divisional Commissioner, Amravati Division, Amravati, his appeal is not decided till this date.

2. In view of the mandate under Section 39 of the Act of 1959, we deem it appropriate to dispose of the petition by directing the State Government to decide the appeal of the petitioner within the period provided under Section 39 of the said Act.

3. We permit the petitioner to appear before the State Government on September 09, 2024.
4. The petition stands disposed of accordingly.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

LANJEWAR