



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

Writ Petition No. 6372 of 2024

[Mahendra s/o Jaypal Wanjari ..vs.. Bhojraj s/o Raghunath Masram and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V. R. Borkar, Advocate for the petitioner
Mr. R. D. Karode, Advocate for respondent no. 1
Mr. A. A. Madiwale, AGP for respondent nos. 2, 3 and 5

CORAM : ANIL L. PANSARE J.

DATED : 23-10-2024

On 22-10-2024, following order was passed.

“The petitioner shall add Secretary, Urban Development Department as party respondent no. 6. The amendment be carried out forthwith.

Learned counsel for the petitioner submits that equally efficacious remedy is available, however, because of model code of conduct being in force, the Office of Ministry will be vacant. Learned counsel submits that the petitioner had been to the Office of Secretary but could not file the appeal and that the appeals are not being entertained.

It is surprising that the statutory remedy available to the litigants is said to be affected because of the model code of conduct being in force.

Learned Assistant Government Pleader shall take instructions and make a statement tomorrow.

List on 23-10-2024 high on board.”

2. Learned Assistant Government Pleader submits that the filing is accepted in terms of Government Resolution dated 13-4-2023. When enquired as to whether any arrangement is made to entertain the urgent

hearing viz. the application seeking stay or similar such relief, the learned Assistant Government Pleader, on oral instructions, submits that the Minister is available for hearing.

3. The petitioner shall approach the appellate authority under Section 44(4) of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965. If the appeal is filed, the appellate authority shall take up the matter in terms of the provisions of the Act which includes entertaining application for urgent relief.

4. Writ petition is disposed of in above terms.

(Anil L. Pansare, J.)