



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

WRIT PETITION NO. 1795/2024

**Shaikh Zaheer Ahmed S/o Shaikh Maula Vs. The State of Maharashtra,
through Principal Secretary, Urban Development Department and
others**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Firdos Mirza, Advocate for petitioner
Mr. H.D. Futane, AGP for Respondent Nos.1 and 2
Mr. V.N. Patre, Advocate for Respondent No.4

CORAM: BHARAT P. DESHPANDE, J.

DATED : 14th MARCH, 2024

Heard Mr. Mirza, learned counsel for the petitioner.

2. The order impugned in the present petition is dated Nil, which was communicated to the petitioner along with the letter dated 01/03/2024.

3. Mr. Mirza, learned counsel for the petitioner submits that in Writ Petition No. 8248/2023, the order was passed by the learned Division Bench of this Court, thereby protection was granted to the petitioner till 15/03/2024. He submits that immediately after receipt of covering letter along with the copy of the order, the petition is filed. Mr. Mirza, learned counsel for the

petitioner would submit that Section 44 of the Maharashtra Municipal Councils, Nagar Panchayat and Industrial Townships Act, 1965 is not applicable to the present petitioner as he is the Councillor from Nagar Panchayat in view of Section 341(b) of the said Act.

4. The learned Assistant Government Pleader waives notice for respondent Nos.1 and 2.

5. Mr. Patre, learned counsel waives notice for respondent No.4.

6. Issue notice to the respondent Nos.3 and 5, returnable on 5th April, 2024.

7. In the meantime, since the petitioner was protected by the learned Division Bench of this Court till today, the said protection shall continue till the next date.

(BHARAT P. DESHPANDE, J.)