



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 8847 OF 2025

SAINATH DADA THOMBRE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Thombre S.S., Advocate for the Petitioner

Mr. P. D. Patil, AGP for Respondents-State

Mr. Deepak Kashiram Rajput, Advocate for Respondent No.7

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 24.07.2025

PER COURT :-

1. The present writ petition takes exception to order dated 20.06.2025 passed by learned Additional Divisional Commissioner, Chhatrapati Sambhajnagar, thereby refusing to grant stay to disqualification order passed against petitioner by learned District Collector, Chhatrapati Sambhajnagar in file No. 2023/ Sa.Pra. Grapa/ Mandki/ Chhatrapati Sambhajnagar/ CR No.249.

2. Mr. Thombre, learned Advocate appearing for petitioner submits that learned District Collector passed disqualification order holding that petitioner got third child after cut-off date and as such incurred disqualification in terms of Section 14 (1) (J-1) of Maharashtra Village Panchayats Act. According to him, learned Collector relied upon certain documents which were filed during proceedings and petitioner was not granted sufficient opportunity to controvert such documents.

3. Learned Advocate appearing for respondents, however, submits that petitioner was granted sufficient opportunity to explain all documents and there is voluminous material on record to establish that petitioner got third child after cut-off date, attracting disqualification.

4. Apparently, the order refusing to grant stay to disqualification order of learned Collector is subjected to challenge in this writ petition, whereas substantive appeal against disqualification order is pending before learned Additional Divisional Commissioner which is expected to be decided expeditiously.

5. In this background, instead of delving into merits of the matter, this Court deems it fit that learned Additional Divisional Commissioner shall expeditiously decide pending Appeal preferably within a period of four (04) weeks from today. Writ petition stands **disposed of** with aforesaid directions.

6. Parties to cooperate.

7. Till final decision of Appeal, order passed by learned District Collector, Chhatrapati Sambhajinagar in file No.2023/Sa.Pra. Grapa/Mandki/ Chhatrapati Sambhajinagar/ CR No.249 shall be kept in abeyance.

[S. G. CHAPALGAONKAR, J.]