



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

Writ Petition No.5672/2025
Sachin V Jyoti and others

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

Court's or Judge's orders

Mr. N.L. Jaiswal, Advocate for petitioner.
Mr. T.S. Kene, Advocate for resp. no.1.
Mrs. S.W. Deshpande, Advocate for resp. no.4.
Ms Sapkal, AGP for resp. nos.2 and 3.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 01-12-2025.

Heard learned Counsel for the petitioner.

2. Petitioner's challenge is to interim order dated 10-09-2025 passed by respondent no.2-Hon'ble Minister for Rural Development in the proceedings under Section 39(3) of the Maharashtra Village Panchayats Act (for short, 'the said Act'). The impugned interim order is passed in the appeal filed by respondent no.1 who is holding the post of Sarpanch of Gram Panchayat Narsala, Taluka Saoner, District Nagpur, challenging the order dated 24-07-2025 passed by respondent no.3-Additional Commissioner, Nagpur Division, Nagpur. It is pointed out that the application for interim relief was heard on 13-11-2025 and all the parties including the petitioner have participated in the hearing and advanced their submissions.

3. Learned AGP on oral instructions states that the hearing on the interim application is complete and the orders are likely to be passed in short time.

4. Advocate Mr. Kene who appears for respondent no.1 also on institutions has made a specific submission that the hearing was conducted on 13-11-2025 and after hearing the arguments, the application for interim relief is posted for orders.

5. Mr. Jaiswal learned Counsel for the petitioner on instructions submits that on 13-11-2025 the arguments were advanced by all the parties even on merits of the appeal and were not restricted only to the interim application.

6. Having regard to the controversy involved in the instant petition raising challenge to the ad-interim order and considering the fact that the interim application is already heard and posted for orders, it is desirable that the respondent no.2 is allowed to pass the orders on interim application for stay. The instant petition challenging ad-interim order need not be entertained since the petitioner has himself participated and made submissions on the interim application. Having regard to the controversy involved respondent no.2 is directed to pass orders on the interim application, if not already passed, within two weeks from the date of receipt of the order.

7. In view of this, no indulgence is warranted with the impugned order. Having regard to the controversy involved, the proceedings under Section 39(3) of the Act, pending before the

respondent no.2 be decided within a period of four weeks from the date of receipt of this order.

8. In view of this writ petition is disposed of. No order as to costs.

(Prafulla S. Khubalkar, J.)