



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

WRIT PETITION NO. 5468 OF 2025

Prashant Dnyaneshwar Kolhe

-Vs.-

State Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr.Bhojraj Dhandale, Adv.for the petitioner.
Mr.A.V.Palshikar, AGP for the respondents-State.
Mr.N.L.Jaiswal, Adv.for the respondent No.5.

**CORAM : SMT. M. S. JAWALKAR &
RAJ D. WAKODE, JJ.**

DATE : 18TH SEPTEMBER, 2025

P.C.

Heard Mr.Dhandale, learned counsel for the petitioner, learned AGP Mr.Palshikar for respondent Nos.1 and 2 and learned counsel Mr.Jaiswal for respondent No.5.

2. After going through the petition, it appears that in fact the present petition is premature, as appeal is filed on 10/09/2025 and two days thereafter, there are holidays on 13/09/2025 and 14/09/2025 and immediately on 15/09/2025, the petitioner has filed this present petition seeking stay to the order passed by respondent No.2- Additional Commissioner, Nagpur and also for directions to respondent No.1 to decide the appeal/stay application within stipulated period.

3. Section 39A (3) of the Maharashtra Village

Panchayat Act provides that any person aggrieved by the order of the Commissioner under sub-section (1) or (2) may, within a period of fifteen days from the date of receipt of such order, appeal to the State Government and Government shall decide the appeal within a period of one month from the date of receipt thereof. In view of this specific provision, the petition is premature and is liable to be dismissed. However, respondent No.1 is directed to take steps as per the provisions of law and decide the appeal within stipulated period as provided under section 39A(3) of the Maharashtra Village Panchayat Act. The respondent No.1 shall also take decision on the stay application filed along with the appeal as early as possible.

4. In view of above, the petition stands dismissed. No costs.

(RAJ D. WAKODE, J)

(SMT.M.S.JAWALKAR, J)