

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 LETTER PATENT APPEAL NO.18 OF 2005
WITH CA/11150/2006 IN LPA/18/2005

MUSHTAQ ABDUL GANI QURESHI
VERSUS
STATE OF MAH & ANR

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Advocate for Appellant : Mr. Amol Sawant
Mrs. VA Shinde, AGP for Respondents R/1 To 5;
Mr. S R Barlinge, Adv. For R.No. 6.

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: February 05, 2015

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PER COURT :-

1) In view of Judgment and order dated 5.11.2014, learned Single Judge held that the Findings on Charge Nos. 1 and 3 cannot sustain and the same have been set aside and so far as Charge No.2 is concerned, learned Single Judge has recorded that the allegations are proved and as such, the order of removal of the petitioner/appellant from the post of President, stands confirmed. It is further declared that the petitioner/appellant shall not be eligible for re-election or re-appointment as president or on any committee of the Council during remainder term of the council. So far as order of removal is concerned, the same stood confirmed. However, the order of disqualification of the appellant for further period of six years has been set aside by the learned Single Judge.

2) The appellant has challenged the order in respect of his removal from the post of Presidentship. The impugned order has been passed by the learned Single Judge in the

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(2)

year 2004 and by passage of time, the challenge raised in the instant LPA is rendered stale. The Letters Patent Appeal as such stands dismissed having been rendered infructuous. No costs. Pending Civil Application if any does not survive and the same stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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