

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4341 OF 2013

Bhagubai Gangadhar Kashte

..PETITIONER

VERSUS

The Additional Collector, Parbhani & ors.

..RESPONDENTS

Mr Mahesh P. Kale, Advocate for petitioner;

Mr S.K. Tambe, A.G.P. for respondents no.1 & 2;

Mr S.J. Salunke, Advocate for respondents no.3 to 7

CORAM : N.W. SAMBRE, J.

DATE : 8th January, 2015

ORAL ORDER

The petitioner, who is an elected Sarpanch of Village Panchayat Kajali (Rohina), Tq. Selu, Dist. Parbhani, suffered no confidence motion, which was subject to an appeal before the Additional Collector, Parbhani, which appeal came to be dismissed on 6th March, 2013.

2. The only issue raised by the learned Counsel appearing on behalf of the petitioner is that the provisions of Rule 17 of the Bombay Village Panchayats (Meeting) Rules 1959 are mandatory in nature.

3. After hearing the parties for some time, it is noticed that the issue raised in the instant petition is squarely covered by the judgment of the

Full Bench of this Court in the matter of **Tatyasaheb Ramchandra Kale vs. Navnath Tukaram Kakade & ors.**, reported in **2014 (6) Mh. L.J. 804**.

4. In view of above, no case for interference is made out. The Writ Petition thus fails and same stands rejected with no order as to costs.

5. As a result of rejection of the writ petition, it will be open for the authorities to proceed with the election for the post of Sarpanch, in accordance with law.

(N.W. SAMBRE, J.)

amj