

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO. 5921 OF 2015

SHAIKH SIKANDAR BUDHAN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Ms. Kulkarni Smita S. And S. M.
Awachar

Mr. NB Patil, AGP for Respondents: 1 to 3 & 5;
Mr. VD Sonawane, Adv. For Resp.No.4.

...

CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: August 11, 2015

...

PER COURT :-

1) Heard. The petitioners are praying for issuance of directions to the respondents to take action as contemplated by Section 145(1) of The Bombay Village Panchayats Act, 1958 and directions not to spend any funds allocated to them. It is contended that as a result of certain illegalities committed by the members of the Village Panchayat, coercive action is required to be taken against them. It is now transpired that the term of the elected body has come to an end and fresh elections have also been held. There is no provision in The Bombay Village Panchayats Act comparable to Section 55-B of the Maharashtra Municipalities Act, enabling the State Government to take action against the erring members of the earlier body.

2) Keeping option of the petitioners to avail of the remedies available in accordance with the provisions of law, if any, open the writ petition stands rejected.

(P.R. BORA, J.)

(R. M. BORDE, J.)

...