

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.6623 OF 2015

Sudam s/o Balbhim Rokade
and others

Petitioners

Versus

The State of Maharashtra & others

Respondents

Mr.M.P.Kale, advocate for petitioners
Mrs.M.A.Deshpande, A.G.P. for Respondents No.1, 3 and 4.
Mr.S.T.Shelke, advocate for Respondent No.2.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 02nd July, 2015

PER COURT:

1 Petitioners are objecting to the notice issued by the Collector on 28.05.2015 calling upon the petitioners to show cause as to why appropriate action shall not be taken against them under Section 14B of the Bombay Village Panchayats Act, 1958, for their failure to lodge account of election expenses within the time stipulated.

2 Petitioners contend that the notice is issued belatedly after three years from the date of holding of the elections.

3 On perusal of the relevant provisions, there does not appear to be any bar of limitation for the Collector to call upon account of election expenses belatedly, so as to ascertain disqualification under Section 14B of the Act. Even otherwise, it

would be open for petitioners to tender appropriate explanation before the Collector so as to facilitate him to take just decision in the matter.

4 We do not find any merit in the petition since mere act of issuance of notice, at the instance of the Collector, is under challenge. In exercise of extraordinary jurisdiction under Article 226 of the Constitution of India, no interference is called for.

5 Writ Petition stands dismissed.

P.R.BORA
JUDGE

adb/wp662315

R.M.BORDE
JUDGE