

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

906 WRIT PETITION NO.7185 OF 2015

DHANRAJ PIRAJIRAO SHIROLE AND ANOTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Kokane Prashant P
Mr. SG Nandedkar, AGP for Respondent/State;
Mr. ST Shelke, Adv. for Resp.No.2.

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

DATE : **16th JULY, 2015.**

PER COURT :

1) Heard. The petitioners are praying for issuance of directions to the respondents to include village Khairgaon in Nagar Panchayat Naigaon; and are also seeking direction in respect of postponement of the elections of village panchayat Khairgaon, Tq. Naigaon-Khairgaon District Nanded for electing the members of the village panchayat.

2) A notification has been issued by the State Government on 30th June, 2016 thereby creating smaller urban area for Naigaon village panchayat in exercise of the powers conferred under the Municipalities Act. Name of village panchayat, Khairgaon is neither recorded in the preliminary notification nor in final notification.

3) The petitioners contend that their objection for inclusion of village Khairgaon in the proposed

smaller urban area has not been considered. It is the exclusive domain of the State authorities to consider the issue in respect of formation of urban areas and inclusion of surrounding smaller rural areas in such newly created urban areas.

4) In exercise of extra-ordinary jurisdiction under Article 226 of the Constitution of India, no interference is called for.

5) It would be however open for the petitioners to approach the State Government for redressal of their grievances. The writ petition is devoid of substance and the same stands rejected.

(P.R.BORA)
JUDGE

(R.M.BORDE)
JUDGE

bdv/