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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO.5801 OF 2014

Mandar Shrikant Halbe ...Petitioner  
vs.  
Kalyan Dombivli Municipal  
Corporation and others ...Respondents

Mr.Kamal Khata i/b Nitin Gandhi and Abhay Tikekar  
for the Petitioner  
Mr.A.S.Rao for the respondent Nos.1 and 2  
Mr.R.S.Apte, Senior Advocate i/b Mr.Girish Jawahar  
Paryani for respondent No.3  
Ms Monisha Bhangale i/b ALMT Legal for respondent  
No.4  
Mr.A.I.Patel, AGP for respondent Nos.5 and 6.

CORAM : A.S.OKA, &  
K.R.SHRIRAM, JJ.  
DATE : AUGUST 26, 2015

P.C.:

1 The learned counsel for the respondent No.4 has tendered a letter dated 25<sup>th</sup> August 2015 addressed to him by the Mayor of Kalyan Dombivli Municipal Corporation in which he has stated that he has tendered resignation from the post of the Leader of Opposition. Thus, the respondent No.4 has ceased to hold the office of the Leader of Opposition.

2 The learned counsel for the petitioner submits that certain respondents have made false statements on oath. If that be so, the petitioner is at liberty adopt appropriate proceedings in that behalf. The issue raised in this petition has now become academic in view of resignation of the

respondent No.4. As a result of the resignation of the respondent No.4, it is obvious that the Mayor of the Corporation is bound to consider the case of the petitioner for appointment to the post of the Leader of Opposition in accordance with section 19 (1) (AA) of the Maharashtra Municipal Corporations Act, 1949.

3 Subject to what is observed above, petition is disposed of.

(K.R.SHRIRAM, J.)

(A.S.OKA, J.)