

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8460 OF 2015

Mrs. Deepali Satish Shete.] ... Petitioner

Versus

Umesh Krishnarao Deshmukh and Ors.] ... Respondents

Mr. Nikhil Sakhardande a/w Mr. Chintan Shah i/b Mr. Sandesh Patil
for Petitioner.

Mr. Amit Borkar for Respondent No.2.

Mr. B. D. Joshi for Respondent No.3.

Mrs. M. S. Bane, A.G.P. - 'B' Panel, for Respondent Nos.4 and 5.

CORAM :- M. S. SONAK, J.

DATE :- SEPTEMBER 10, 2015

P. C. :-

1. The Petitioner has been disqualified as a Councilor by order dated 06/08/2015. As against such order, the petitioner has already instituted proceedings before the State Government. The Petitioner's application for stay has been heard and Mrs. Bane, learned A.G.P. - 'B' Panel Counsel, makes a statement that order upon the said application will positively be made on or before 19/09/2015. The statement made by Mrs. Bane that order would be passed positively on or before 19/09/2015 is both recorded as well as accepted.

2. Mr. Borkar, learned Counsel for Respondent No.2, has stated that the Voters list are to be finalized on 23/09/2015. Therefore, he submits that it is only then can the election program for filling in the vacancy to the post of Councilor be announced.

3. In view of the aforesaid, since there is no possibility of announcement of election schedule prior to 23/09/2015, the Petitioner is sufficiently protected.

4. In view of the aforesaid, there is no necessity of making any further orders in this petition. This petition is disposed of. However, it is made clear that elections to the post of President of the Council will be subject to the result of the appeal instituted by the Petitioner.

5. Mrs. Bane states that the statement on record with regard to disposal of the Petitioner's application for stay is made on basis of instructions .

6. Further, Mrs. Bane undertakes to communicate the making of this order to the appellate authority.

(M. S. SONAK, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed
Order.