

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10662 OF 2015

Shri Sardar Shamrao Pavte. ... Petitioner.
V/s.
Ld.Tahesildar of Karveer and others. ... Respondents.

S.R.Borulkar i/b. Manoj A. Patil for the petitioner.

PPKakade, AGP for the State.

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

DATED : 27th October 2015.

P.C.

Heard.

2. The petitioner- Sarpanch is facing no-confidence motion. A meeting to discuss the no-confidence motion is called tomorrow i.e. 28th October 2015. The learned counsel appearing for the petitioner submits that notice issued by nine members of the village Panchayat for calling a meeting to discuss no-confidence motion is not tenable in law. No date is mentioned on the notice. The notice issued to the petitioner is not in a prescribed format and the reasons mentioned therein are vague. Learned counsel has relied upon the judgments of this Court in the cases of *Ashabai Ashok Shinde, v. Additional Commissioner, Amravati*, 2009 (2) Bom.C.R. 880; *Shamsundar s/o. Namdeo Barsale v. the*

Divisional Commissioner, Aurangabad, 2012 (0) BCI 761; and *Budhiya Dayaram Jamunkar v. Additional Commissioner & Ors.*, 2010 (3) Bom.C.R. 725.

3. Learned A.G.P. has produced before us the original record. We have perused the same.

4. On the facts of the case, we find that the issue raised by the petitioner at this stage is premature in nature. The meeting is yet to be held. Consequent to the meeting, if the petitioner is aggrieved, he may resort to alternate statutory remedy as may be available in law. All issues on merits are kept open.

5. With the aforesaid observation, petition is disposed of.

(S.B. SHUKRE, J.)

(NARESH H. PATIL, J.)