

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11366 OF 2014

Shri Ratan Pandharinath Khode	...	Petitioner.
V/s.		
Smt. Vanita Sravan Khode and others.	...	Respondents.

Ms. Shama Mulla i/b. Jay & Co. for the petitioner.

Vikas Mali, AGP for respondent Nos. 9 and 10.

***CORAM : NARESH H. PATIL AND
V.L. ACHLIYA, JJ.***

DATED : 18th April 2015.

P.C.

The petitioner- Sarpanch faced no-confidence motion. The motion was passed by majority. The petitioner challenged the proceeding before the Collector under the provisions of section 35 of the Bombay Village Panchayat Act, 1958. By a reasoned order dated 28th October 2014, the Additional Collector, Nashik dismissed the application filed by the petitioner.

2. The learned counsel appearing for the petitioner submits that proper notice as prescribed under law was not served on the petitioner.

The reasons mentioned for tabling the no-confidence motion were vague and not convincing. The petitioner acted in the interest of the Panchayat. He, therefore, prayed that the impugned order and the resolution passed on no-confidence motion be quashed and set aside.

3. The relevant issues were taken into consideration by the Additional Collector. The strength of respondent- Village Panchayat is 9 members, out of which, one post is lying vacant. The motion was discussed in the meeting of Panchayat. Out of total members, six members voted in favour of no-confidence motion. We do not find any error in the proceeding or the approach adopted by the Additional Collector in dismissing the application of the petitioner. There is no merit in the petition. Petition is dismissed.

(V.L. ACHLIYA, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.