

IN THE HIGH COURT OF JUDICATURE AT BOMBAY, NAGPUR
BENCH, NAGPUR.

WRIT PETITION NO. 595 of 2013

(Mahanagar Sudhar Samiti, Akola Municipal Corporation through its Leader
Harish R. Alimchandani and anr. Vs. The Mayor, Akola Municipal
Corporation, Akola and ors.)

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders
.....

Court's or Judge's order

CORAM : B.P.DHARMADHIKARI &
S. B. SHUKRE, JJ.

DATE : 22-4-2015.

Heard Shri A. M. Gordey, learned Senior Advocate with Mrs. R. D. Raskar, learned Advocate for the petitioners, Shri S. D. Chopde, learned Advocate for respondent no. 1, Shri S. V. Sohoni, learned Advocate for respondent no. 2, Shri A. M. Ghare, learned Advocate for respondent nos. 4 to 6 and Shri J. B. Gandhi, learned Advocate for respondent no. 8.

Nobody appears for the intervenor Shri Dattatraya Khatal and the respondent no. 3.

After hearing, we find that neither petitioner no. 1 nor respondent no. 3 before this Court are borne as registered Front/Aghadies and the order of Divisional Commissioner, Amravati refusing registration dated 28-8-2012 has attained finality. These facts are borne out

.....2/-

from paragraph no. 6 of the reported judgment of Hon'ble Apex court in the case of Ajay Ramdas Ramteke and anr. Vs. Mahanagar Sudhar Samiti, Akola and ors. Reported at 2015(2) SCALE 136. The present petitioner no. 1 as also respondent no. 3 are parties thereto.

Petitioner no. 2 is a nominee for petitioner no. 1 - Mahanagar Sudhar Samiti for co-option in meeting dated 22-1-2013.

As it is found that petitioner no. 1 itself was not in existence on that day, it is apparent that petitioner no. 2 also cannot independently prosecute the cause.

Hence, in the situation, with liberty to petitioners as also respondents to take such other steps as are open in law in the matter, we dispose of the matter with no order as to costs.

JUDGE

JUDGE

wasnik

...../-