

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

Writ Petition No.3050 of 2015

(Prabhu s/o Mukundrao Bhende v. Additional Collector, Nagpur and others)

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

Court's or Judge's orders

Shri U.P. Dable, Advocate for Petitioner.

Shri K.L. Dharmadhikari, Assistant Government Pleader for
Respondent Nos.1 and 2.

Coram : R.K. Deshpande, J.

Date : 16th September, 2015

On 7-1-2015, a no confidence motion was passed against the petitioner, who was Up-Sarpanch. This was the subject-matter of challenge before the Additional Collector under Section 35(3-B) of the Maharashtra Village Panchayats Act, 1959. The appeal has been dismissed on 18-5-2015. Hence, this writ petition.

It is clear from the averments made in the memo of appeal itself that the meeting was to commence at 12 noon on the day fixed. The meeting actually commenced at 12 noon and it was finished before the petitioner reached the place of meeting. It is not the case that the meeting was required to be adjourned for want of quorum. It is also not the case that the petitioner had intimated about his late coming in the meeting. In view of this, the question of lack of opportunity to address in the meeting does not at all arise. The decision of this Court relied upon by the learned counsel for the petitioner in the case of *Shivkant s/o Haribhau Bangar v. Gramsevak, Mauje Ratnapur and others*, reported in 2010(6) *Mh.L.J.* 149, does not

apply to the case at hand.

The petition is dismissed.

Judge.

Lanjewar