

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

WRIT PETITION NO.4517/2015

Sandhya w/o Vajinath Kute

..Versus..

The Tahsildar Malkapur/Returning Officer for holding election of Gram Panchayat
 Election 2015 of Ukali Pen and another

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 3.8.2015

Heard Shri S.S. Dhengale, learned advocate for the petitioner
 and Shri N.S. Khubalkar, learned A.G.P. for respondent no.1/Returning
 Officer.

The grievance of the petitioner is that the nomination paper of
 the respondent no.2 has been wrongly accepted though she is not
 eligible to contest the election as she incurs disqualification as per
 Section 14 (1)(i) of the Maharashtra Village Panchayats Act. The
 contention of the petitioner is that the respondent no.2 is working as
 "Asha Swayam Sevika" at Sub-Centre, Ukali Pen under the Primary
 Health Centre, Warla and, therefore, enjoys an office of profit and,

therefore, she is disqualified as per Section 14 (1)(i) of the Maharashtra Village Panchayats Act. Apart from the fact that the disputed questions of facts are raised, the petitioner has approached this Court just one day prior to the date of elections. In view of this, I am not inclined to entertain the petition. The petition is disposed of with liberty to the petitioner to avail appropriate remedy, if so advised.

JUDGE

Tambaskar.