

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

Writ Petition No.5039 of 2015
(Sanjay s/o Onkar Gaikwad v. State of Maharashtra, Buldana, through District
Collector, and others)

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

Court's or Judge's orders

Smt. S.W. Deshpande, Advocate for Petitioner.
Shri K.L. Dharmadhikari, Assistant Government Pleader for
Respondent Nos.1 and 2.
Shri Abdul Subhan, Advocate for Respondent No.3.

Coram : R.K. Deshpande, J.

Date : 31st August, 2015

The respondent No.3 was elected as Sarpanch, Gram Panchayat, on 7-8-2015. According to the petitioner, the respondent No.3 suffered from disqualification, as contemplated by Section 14(1)(j-1) of the Maharashtra Village Panchayats Act, 1958, as he had more than three children on the date of contesting the election. The application for disqualification of the respondent No.3 is pending before the Competent Authority.

In view of this, no order can be passed either to restrain the respondent No.3 from participating in the election of Sarpanch or Up-Sarpanch or to direct his vote to be kept in sealed cover.

The petition stands dismissed.

Judge.