

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO. 1779 OF 2016

RAWA REHANJYA PAWARA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....
Advocate for Petitioner : Mr. Pawar Pawan B
AGP for Respondent-State : Mr. G. O. Wattamwar
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CORAM : V. K. JADHAV, J.

DATED : 12th FEBRUARY, 2016

PER COURT :-

1. The petitioner was elected as Member of Wakwad Village Panchayat and thereafter, he was elected as Sarpanch. No confidence motion was moved against the petitioner making allegations against him. The no confidence motion was passed against him by majority of the Members. Petitioner had preferred a Dispute before the Additional Collector, Dhule. Learned Additional Collector, Dhule, by impugned order dated 05.01.2016, rejected the said dispute. Hence this writ petition.

2. Learned counsel submits that no confidence motion was moved by making several false allegations and on the basis of forged signatures. Learned counsel submits that learned Additional Collector has not assigned any reasons for rejecting the said Dispute and the impugned order is almost a non speaking order. Learned

counsel has tried to point out that three Members, namely Rohinda Tathu Pawara, Nirmalabai Tarachand Bhil and Nirwashibai Suklal Pawara are illiterate persons and even though, on the requisition letter of calling meeting for passing no confidence motion, it is shown that these persons have signed the said requisition letter. Learned counsel has further pointed out that so far as service of notice on the Members is concerned, the said persons have put their thumb impressions about receipt of the said notice.

3. I have carefully perused minutes of the meeting dated 02.07.2015. It appears that the said three persons, as stated above, remained present in the meeting and voted against the petitioner Sarpanch. I find no substance in the contention raised by the petitioner. Learned Additional Collector, Dhule, after examining the record and verification of the documents, has observed in the impugned order that the "no confidence motion" was carried out as per Rules. In view of this, no case is made out to interfere. The writ petition is, therefore, dismissed at this stage. No costs.

(V. K. JADHAV, J.)

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