

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5114 OF 2015

Kusum Parmeshwar Adhagale ...PETITIONER

versus

State of Maharashtra and others ...RESPONDENTS

...
WITH

WRIT PETITION NO. 5115 OF 2015

Anuradha Anand Jawale ...PETITIONER

versus

State of Maharashtra and others ...RESPONDENTS

WITH

WRIT PETITION NO. 5116 OF 2015

Kishor Hiralal Zarekar ...PETITIONER

versus

State of Maharashtra and others ...RESPONDENTS

WITH

WRIT PETITION NO. 5799 OF 2015

Meera Bhimrao Ujgare ...PETITIONER

versus

State of Maharashtra and others ...RESPONDENTS

.....

Mr. K.J. Suryawanshi, Advocate for petitioners in W.P. No. 5114, 5115 and 5116 of 2015)

Mr. S.S. Thombre, Advocate for petitioner in W.P. No. 5799 of 2015

Mr. N.B. Patil, AGP for respondents – State authorities

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**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 13th JULY, 2016.

Order :-

1. By all these petitions, the petitioners assail notification whereby the Gram Panchayat has ceased to be in existence and Nagar Panchayat is constituted as transitional area.
2. Mr. Suryawanshi and Mr. Thombre, learned counsel for petitioners submit that petitioners were elected as members of the Gram Panchayat in the year 2012, for the period of five years. Before their term could come to an end, notification was issued of constituting Nagar Panchayat. The petitioners were democratically elected, have right to continue office till completion of their term, because of said notification their term is reduced.
3. Learned Assistant Government Pleader and learned counsel for the petitioners states that after Nagar Panchayat is constituted vide notification of 2015, elections of Nagar Panchayat has also been held. Subsequently elected members of the Nagar Panchayat are in office. The persons elected to the Gram Panchayat do not have constitutional right but only statutory right flowing from the statute. Apart from aforesaid ground, no other ground is raised challenging the impugned notification.
4. Considering the aforesaid, writ petitions are disposed of. No costs.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]