

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8323 OF 2015

KALPANA BHARAT KOLI
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Patil Paresh B.
AGP for Respondents: P.B.Borade
Advocate for Respondents : Rathod Abhay R For R/3 Caveator

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CORAM : P.R.BORA,J.
DATED : 4TH JANUARY,2016

PER COURT :-

The order passed by Additional Collector, Jalgaon on 7/2/2014 in Dispute Application No.58/13, confirmed by the Divisional Commissioner, Nasik in Appeal No.112/14 passed on 20/3/14 is questioned in the present petition. The respondent no.3 herein had preferred original Dispute Application alleging that since the present petitioner has three children she be disqualified from holding post of Member of Gram Panchayat. From the record, it appears that the birth certificates of all the three children were produced on record and relying upon the said birth certificates, the learned Additional Collector accepted the complaint so made by respondent no.3 herein and accordingly declared present petitioner disqualified for holding post of Member of Gram Panchayat. The decision of the Additional Collector was challenged by present petitioner by filing an Appeal before Divisional Commissioner. The Divisional Commissioner after

having considered the submissions advanced on behalf of the parties, and on perusal of the record confirmed order passed by Additional Collector.

2] In the present petition though several grounds are raised in challenge to the order so passed, the basic fact of having three children seems to have been established by the documentary evidence and nothing is brought on record by the petitioner to disbelieve the said evidence. In such circumstances, I do not find any reason to interfere in the orders so passed which are impugned in the present petition. Writ Petition, being devoid of any substance stands rejected.

(P.R.BORA,J.)

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