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

15 WRIT PETITION NO. 12153 OF 2015

SARJERAO DEVRAO HIVALE
VERSUS
ADDITIONAL DIVISIONAL COMMISSIONER AND OTHERS
...
Advocate for Petitioner : Mt. Kulkarni Girish B.
AGP for Respondents: Mr. S.M. Ganachari
...
CORAM : R. M. BORDE, J.
Date: March 07, 2016
...

PER COURT :-

1 The order passed by the Additional Commissioner remitting the matter back to the Additional Collector for holding a fresh enquiry as regards disqualification of the Sarpanch under section 16(2) of the Maharashtra Village Panchayats Act is a matter of challenge in this petition.

2 On perusal of the order passed by the Additional Collector as well as the Additional Commissioner, it does appear that the Additional Collector, while deciding the dispute under section 16(2) of the Act has failed to consider the failure of the petitioner to hold monthly meetings of the village Panchayat. Since the issue raised in the application has not been considered by the Additional Collector, the matter has been remitted back to him by the Additional Commissioner for holding fresh enquiry.

3 I do not find any irregularity or illegality in the order passed by the Additional Commissioner. The writ petition is devoid of substance and hence stands dismissed.

(R. M. BORDE, J.)

vbd