

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

CIVIL APPLICATION (CAW) NO.1111 OF 2016

AND

WRIT PETITION NO.2336 OF 2016

(SMT. PUSHPABAI SITKURA BOPCHE & 6 OTH...VS..UPPER COLLECTOR, GONDIA & ANR.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : JULY 25, 2016.

Shri P.S. Wathore, learned advocate for the respondent No.2 has submitted that the petitioners have made incorrect and misleading statements on oath and therefore, the petition is liable to be dismissed.

Shri I.N. Choudhari, learned advocate for the petitioners has submitted that the impugned order disqualifying the petitioners under Section 14-B of the Maharashtra Village Panchayats Act, 1958 is passed by the Additional Collector, who has no authority and jurisdiction and the order under Section 14-B of the Act has to be passed by the State Election Commission. Alternatively it is submitted that the State Election Commission has delegated its powers to the Collector and not to the Additional Collector and only the Collector could have exercised the powers as delegatee.

The points raised by the petitioners require consideration :

RULE.

The interim order granted on 21st April, 2016 shall continue till the decision of the petition.

Ms H.N. Prabhu, A.G.P. waives notice for the respondent No.1.

JUDGE

RRaut..

CERTIFICATE

I certify that this order uploaded is a true and correct copy of original signed order.

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