

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3375/2016

(PRABHAVATI LAHUJI KHOBRAGADE & OTHERS **VERSUS** STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri R.A. Gupte, counsel for the petitioners.
 Ms N.P. Mehta, A.G.P. for the R-1.

CORAM : SMT.VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : JUNE 20, 2016.

By this petition, the petitioners challenge the communication dated 21.03.2016 and 13.04.2016 informing the petitioners that the petitioner would be required to choose to continue either as Asha Swayamsevika (Accredited Social Health Activist) or the Member of the Gram Panchayat.

Ms Mehta, the learned Assistant Government Pleader appearing on behalf of the respondent no.1, states that an identical issue came up for consideration before this Court in Writ Petition No.5559 of 2015 and this Court has, by an order dated 06.10.2015, dismissed the writ petition and upheld similar orders that were passed by the Commissioner. It is stated that a similar order may be passed in this case also.

On a perusal of the order in Writ Petition No.5559 of 2015 and on hearing the learned counsel for the parties, we find that the issue involved in both the cases is identical. Since we have dismissed Writ Petition No.5559 of 2015, it would be necessary to dismiss this writ petition also.

Hence, for the reasons recorded in the order dated 06.10.2015 in Writ Petition No.5559 of 2015, we dismiss this writ petition with no order as to costs. If the petitioners are desirous of giving up their membership to the Gram Panchayat within a period of one week, the petitioners would be entitled to continue as Asha Swayamsevika and vice versa.

Order accordingly. No costs.

JUDGE

JUDGE

APTE