

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

Writ Petition No.5857 of 2016
(Sushilatai w/o Rameshrao Chaudhary v. The Collector, Collectorate Office,
Amravati, and others)

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

Shri S.G. Karmarkar, Advocate for Petitioner.
Ms Geeta Tiwari, AGP for Respondent No.1.

Coram : R.K. Deshpande, J.
Date : 6th October, 2016

The petitioner has been disqualified under Section 3(1)(b) of the Maharashtra Local Authority Members Disqualification Act, 1986 by the Collector, Amravati, as per the order dated 26-8-2016, which is the subject-matter of challenge in this petition.

The only contention raised by the petitioner is that she was not served with the whip and there is no acknowledgment produced on record about service of whip upon her. In the application for disqualification, there is a specific averment made in para 3 that the whip was also published in daily newspaper "Tarun Bharat" on 31-5-2015. The reply of the petitioner was that she was admitted in the hospital on 1-6-2015, i.e. the date on which the meeting was held. There is no denial of the fact that the whip was published in daily newspaper "Tarun Bharat"

on 31-5-2015, and that the petitioner did not notice such publication in the newspaper. The Collector has recorded the finding of fact that the whip was served. There is no illegality in the order impugned in this petition. No interference is called for.

The petition is dismissed.

Judge.

Lanjewar

CERTIFICATE

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