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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.740 OF 2017

Gopalkrishana S/o Nagorao Rokade and
others. ...Petitioners..

Versus

The President, Municipal
Council, Jintoor, Tq. Jintoor, Dist.
Parbhani and others.

...Respondents...

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WRIT PETITION NO.870 OF 2017

M/s V.T. Patil Engineers and
Contractor, Through its GPA holder-
Shri Amol Vitthalrao Patil.
...Petitioner..

Versus

The President, Municipal
Council, Jintoor, Tq. Jintoor, Dist.
Parbhani and others.

...Respondents...

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Shri G.D. Kale, Advocate for petitioners.
Shri V.D. Salunke, Advocate for respondent nos.1 and 2.
Shri A.R. Kale, AGP for respondent no.3.

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**CORAM: V.M. KANADE &
SANGITRAO S.PATIL, JJ.**

DATE: 24.01.2017

ORDER :

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1] In both these petitions, the petitioners are seeking following relief :-

"B] By issuing appropriate writ or direction, the impugned notice dt.11.1.2017 issued by the respondent no.1 for calling general meeting of Municipal Council Jintoor kindly be quashed and set aside.

C] The newly added subject in agenda be deleted and the subject no.1 as acted upon it may be deleted from the said notice and the respondent be restrained to call meeting on this subject no.1."

2] It is not in dispute that the petitioners, though had challenged the notice dated 11.1.2017, which had given notice for holding a meeting on 19.1.2017, the meeting did take place on 19.1.2017 and resolutions have been passed in the said meeting.

3] Learned counsel appearing on behalf of respondent nos.1 & 2 has placed on record copy of the minutes.

4] In our view, both these petitions, therefore, have become *infructuous*. The petitioners, however, may exhaust other remedies, which are available to them mainly of challenging the decision taken in the said meeting by taking out appropriate proceedings u/s 308 of

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the Maharashtra Municipal Council, Nagar Panchayat and Industrial Township Act, 1965. Both these petitions are disposed of as *infructuous*. No costs.

(SANGITRAO S.PATIL, J.)

(V.M. KANADE, J.)