

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

908 WRIT PETITION NO. 6561 OF 2017

KRUSHNA MADANRAO SABALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Amitkumar B. Adsul.
AGP for Respondent Nos.1 & 2 : Mr. S. N. Kendre.

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CORAM : **V. K. JADHAV, J.**
DATE : 08th November, 2017.

ORDER:

. Being aggrieved by the order passed by the Additional Collector, Parbhani dated 31st March, 2017 in Case No.2017/A/VP/02, the Disputant has been preferred this writ petition.

2 The Respondent is the Sarpanch of village Panchayat Gaundgaon, Taluka Pathri, District Parbhani. The Petitioner had filed a dispute before Respondent No.2 seeking disqualification of Respondent No.3 under the provisions of Section 36 proviso 2 of the Bombay Village Panchayat Act for not holding the monthly meeting of village Panchayat Gaundgaon, Taluka Pathri, District Parbhani. The learned Collector has dismissed the said application raising dispute by the impugned order and as such, the Petitioner / original Disputant has approached to this Court.

3 It appears that the disqualification of Respondent No.3 Sarpanch sought mainly on the ground that he has failed to call the monthly meeting of village Panchayat. However, it appears that Respondent No.3 Sarpanch has called the meeting in every month and as such, there is no violation of the provisions of Section 36 proviso 2 of the Bombay Village Panchayat Act. The learned Additional Collector has rightly observed that there is no provisions that there should not be a gap of more than 30 days between two meetings. In view of the same, I do not find any substance in this writ petition. The writ petition is thus liable to be dismissed. Hence, the following order:

ORDER

The writ petition is hereby dismissed. No costs.

[V. K. JADHAV, J.]

ndm