

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7161 OF 2017

Shri Devidas Anandrao Pingle

.... Petitioner

vs

The Collector Nashik and ors.

.... Respondents

Mr. P.K. Dhakephalkar, Senior Advocate i/by Mr. P. N. Joshi for the petitioner.

Mr. Bhupesh V. Samant, AGP for respondent-State.

**CORAM: B. R. GAVAI &
RIYAZ I. CHAGLA, JJ.**

DATE : June 30, 2017

PC. :

1 The Petitioner has approached this Court in challenging notice of a meeting convened to consider “No Confidence Motion”.

2 Mr. Dhakephalkar, learned senior counsel for the Petitioner, submits that taking into consideration the background of the case, it is clear that the notice is issued with a malafide intention.

3 We are not inclined to interfere with the show cause notice to consider “No Confidence Motion”. In a democratic set up, it is the

wheel of the majority that must prevail. If it is the contention of the Petitioner that he has done nothing wrong and he has acted in the interest of the Market Committee, then the majority would naturally support his cause and if his contention is correct, then “No Confidence Motion” would fail.

4 However, if that is not so, we do not want to come in the way of the majority of the members to oust a person whom they do not want to hold the office.

5 The writ petition, therefore, without any substance is dismissed.

6 No costs.

(RIYAZ I. CHAGLA J.)

(B. R. GAVAI J.)