

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9840 OF 2016

Rahul Krishna Chitalkar

...Petitioner

Versus

Alandi Municipal Council

Through Chief Officer And Ors.

...Respondents

Mr.Ranvir Shekhawat i/by Raj Legal for the Petitioner.

Mr.A.A. Alaspurkar, AGP for Respondent Nos.2 to 4.

Ms.D.S. Mondkar-Hule i/by Mr.S.B. Shetye for Respondent No.5.

CORAM : A.S. OKA &

SMT.VIBHA KANKANWADI, JJ.

DATE : 03rd JULY 2017

P.C.

1. None for the petitioner.

2. By the impugned order the District Collector held that the petitioner incurred disqualification under clause-(d) of Sub-Section 1 of Section 44 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Acts, 1965. Accordingly, the seat held by the petitioner was declared as vacant. Even going by the assertions made in the petition, the term of the Municipal Council has expired on 11th December 2016.

3. As per explanation to Section 44, the disqualification is deemed to have been incurred during the term for which the petitioner was elected. Now the said term has expired. Hence issue involved in this petition has become academic and accordingly, the petition is disposed of.

[SMT.VIBHA KANKANWADI, J.]

[A.S. OKA, J.]