

IN THE HIGH COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH : NAGPUR**WRIT PETITION NO. 4098 OF 2017.**(Shri Gopal @ Prashant s/o Deoraoji Tekade .vs. The Collector, Nagpur & others)

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

Court's or Judge's orders

Mr. H.D. Dangre, Advocate for petitioner,
Mr. A.V. Palshikar, A.G.P. for respondent no. 1.
Mr. A. Shelat, Advocate for respondent no. 2,
Mr. Rohit Joshi, Advocate for respondent no.3.

CORAM : B.P. DHARMADHIKARI & ROHIT B. DEO, JJ.

DATED : JULY 24, 2017.

Heard the respective Counsel for parties.

It appears that respondent no.2 Chief Officer has forwarded a report to the Collector alleging some disqualification is incurred by respondent no.3.

Mr. Rohit Joshi, learned Advocate for respondent no.3, points out that respondent no.3 is a directly elected President of Municipal Council and, therefore, not amenable to jurisdiction of Collector under Section 44 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.

We keep that contention open. As the Chief Officer has forwarded the report, the respondent No.1 Collector has to consider steps, if any, to be taken on it. It is also apparent that if any further steps are to be taken, he has to provide the parties necessary opportunity.

We, therefore, direct the respondent no.1 Collector to look into that report and to take necessary decision within next two months.

If he decides to initiate any proceedings, appropriate notice thereof and opportunity to concerned parties shall be extended.

With these directions, we dispose of Writ Petition. No costs.

Judge

Judge

J.