

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.4822/2017

Madhukar S/o Anandrao Lakhamapure

..Vs..

The District Collector, Chandrapur and others

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

Court's or Judge's orders

Shri S.G. Karmarkar, Advocate for the petitioner.
Ms. K.R. Deshpande, A.G.P. for respondent Nos.1 and 2.
Shri Aditya Satpute, Advocate for respondent Nos.3 to 9.

CORAM : Z.A. HAQ, J.

DATE : 3.11.2017.

Heard.

The petitioner has challenged the order passed by the Additional Collector dismissing the dispute filed by him under Section 35(3B) of the Maharashtra Village Panchayats Act and maintaining the resolution of the Grampanchayat accepting no confidence motion against the petitioner.

The contention of the petitioner is that the petitioner was not permitted to address the members at the meeting and, therefore, no confidence motion passed against him without affording him an opportunity to put forth his case, is bad in law. To support the submission reliance is placed on the judgment given by the Division Bench in the case of *Ashok Krishnakant Mehta V/s. State of Maharashtra and others* reported in **2000(4) Mh.L.J.197.**

Seven out of nine members of Grampanchayat have voted in support of no confidence motion. Except for the claim of the petitioner that he is deprived of addressing the members of Grampanchayat at the meeting, which issue is raised for the first time in the dispute raised before the Additional Collector, there is nothing on record to show that the petitioner made this grievance immediately. The disputed facts cannot be examined in the extra-ordinary writ jurisdiction. In the case of *Ashok Krishnakant Mehta V/s. State of Maharashtra and others* (cited supra) there was no dispute that some members of Grampanchayat were not permitted to address the meeting. In the facts of the case, I see no reason to interfere with the impugned order. The petition is **dismissed**. No costs.

JUDGE

Tambaskar.