IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3713 OF 2018

Anil S/o Pandurang Lokhande ... Petitioner.

Versus

Radhabai W/o Bhausaheb Lokhande
and others ... Respondents.

....

Mr. Shivaji N. Dudhate, Advocate for the Petitioner.

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CORAM : V.L. ACHLIYA, J.
DATED : 12th APRIL, 2018

PER COURT:-

1. By this petition, filed under Section 227 of the Constitution of India, the petitioner has challenged the order dated 31.01.2017 passed by the Additional Collector, Jalna, thereby rejected the application moved by the petitioner to declare the respondent no.1 as disqualified to hold the office as a member of Village Panchayat Baranjal, Tq. Bhokardan, Dist. Jalna. Petitioner has filed application seeking disqualification with the allegation that the respondent no.1 has committed an act of encroachment and thereby invited disqualification under Section14 (J-3) of the Village Panchyat Act. The order passed by the Additional Collector rejecting the application moved by the petitioner challenged before the Additional Divisional Commissioner, Aurangabad, who in turn dismissed the appeal and upheld the order passed by the Additional Collector. Being aggrieved, the petitioner has preferred this petition.

2. Heard the learned counsel for the petitioner and perused the application moved by the petitioner as well as the order passed by both the authorities below. I am of the view that the orders passed by

the authorities below are reasoned and there is absolutely no perversity in the order passed so as to interfere with the orders in exercise of writ jurisdiction under Article 227 of the Constitution of India. The authorities below have specifically observed that the petitioner has failed to make out the case to hold that the respondent no.1 has committed an act of encroachment so as to disqualification to continue to hold the office as a member of Village Panchayat. In this view, I am not inclined to entertain the petition. The petition is dismissed.

(V.L. ACHLIYA)
JUDGE

SPR