

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14889 OF 2018
(Sandip Gautam Waghmare Vs. Pramila w/o Baban Gadilkar and
others)

IN
WRIT PETITION NO.12583 OF 2017

Mr.H.U.Dhage, Advocate for the applicant.
Mr.S.R.Yadav, AGP for the respondent/State.
Mr.R.R.Karpe, Advocate for respondent No.1.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 14/12/2018

PER COURT :

1. This application is filed by the applicant in his capacity of being a voter in the elections to the village Gram Panchayat Waghunde (Bk.). In the said elections, the original petitioner has been declared elected. Subsequently, she was disqualified for being held to be an encroacher by the order of the District Collector dated 15/01/2016. Respondent Nos. 1 to 4 are the complainants who were before the District Collector. The Divisional Commissioner has also sustained the disqualification of the petitioner by order dated 07/02/2017. This Court (Coram : V.K.Jadhav, J.) stayed the impugned orders and the petitioner continues to be a Sarpanch of the Gram Panchayat.

2. It is informed by the learned Advocate for the Sarpanch that the total valid voters in her constituency are 867.

3. In my view, it depends on the circumstances in each case in so far as considering a request of a voter to intervene in a matter. The principle of "more the merrier" is not applicable to litigation. The learned AGP represents the statutory authorities. Mr.Shelke, learned Advocate represents respondent No.5 / Gram Panchayat. These authorities are capable and competent to defend the concurrent findings of the authorities, before this Court.

4. In view of the above, I do not find that this application deserves to be entertained and the same is therefore rejected.

5. List WP No.12583/2017 for admission in the "Urgent Admissions Category" on 09/01/2019. The ad-interim protection, granted earlier, would continue till the next date.

(Ravindra V.Ghuge, J.)