

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14385 OF 2017

Sachin Ramling Yedke

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Ramesh V. Naiknavare, Advocate for the Petitioner.

Shri K. N. Lokhande, A.G.P. for Respondent Nos. 1 to 5.

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 18th April, 2018

PER COURT :

1. Mr. Naiknavare, learned counsel for the petitioner submits that the decision was taken to reconstitute the Revenue Circles and Talathi Sazas by following the norms of Kapur Committee. The draft notification was published calling upon objections and suggestions from the concerned villagers on 23.8.2017. As Bhandarwadi was the proper place to reconstitute the Talathi Saza according to the norms of higher marks i.e. 36.68 %, it has been recommended by the Tahsildar that Talathi Saza be

constituted at Bhandarwadi. But in the draft notification the name of Kolewadi has been shown. That village Kolewadi has only 34.54 % marks. Objections have been raised by the Sarpanch and villagers of Bhandarwadi. The objection is rejected on 13.10.2017. Thereafter final notification is issued on 17.10.2017.

2. Learned counsel for the petitioner further submits that, even village Bhandarwadi is on the Osmanabad – Murud road and is centrally located. The higher marks given, ought to have been considered. The higher marks given are in view of the suitability of the village Bhandarwadi for re-constituting Talathi Saza.

3. Learned Assistant Government Pleader submits that, Kolewadi is on Osmanabad – Murud road and geographically it is more suitable.

4. We have considered the submissions canvassed by the learned counsel for respective parties.

5. This court in its writ jurisdiction under Article 226 of the

Constitution of India would not sit as an appellate authority over the executive decision taken with regard to formation of Talathi Sazas. This court would be concerned with the adherence to the decision making process and the rules dealing with issuance of notifications, inviting applications, dealing with the objections and final notification. The reasons are given while not accepting the objection raised by the petitioner i.e. Kolewadi is on Osmanabad - Murud Raod and geographically it is more suitable for connecting with the Taluka office.

6. The procedure has been followed. Even it is not the contention of the petitioner that the procedure is not followed.

7. Considering the above, no case for interference is made out. The writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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