

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3229 OF 2018

Shri Amol Nivrutti BhumkarPetitioner
versus
Surekha Shankar Pawar and ors.Respondents

Mr. Priyabhushan P. Kakade, advocate for the petitioner.
Mr. K. U. Nikam, advocate for the respondent No.1.
Ms. R. M. Shinde, AGP for the State.
Mr. I. A. Shaikh i/b. Mr. S. B. Shetye, advocate for the respondent No.3.

**CORAM : RANJIT MORE &
SMT.SADHANA JADHAV, JJ.**

DATE : 14th MARCH, 2018.

P. C. :

Heard learned counsel and learned AGP appearing for the respective parties.

2. By this petition, the petitioner is seeking directions to the respondent No.3 to refrain the respondent No.1 from casting vote as member of Narhe Gram Panchayat for the election of Sarpanch, Gram Panchayat Narhe.

3. Admittedly, the respondent No.1 is elected as the member of the Narhe Gram Panchayat and election of Sarpanch is scheduled to be

held tomorrow i.e. 15th March, 2018. The petitioner has sought injunction against the respondent No.1 on the ground that she is also Anganwadi Sevika. In this regard, the petitioner has relied upon the Government Resolution dated 5th August, 2012 of Women and Children Development Department. Under the said Government Resolution, once Anganwadi Sevika is elected as a member of the Gram Panchayat, she should resign from the post of Anganwadi Sevidka. Be that as it may, it is not the case of the petitioner that the respondent No.1 is disqualified to hold the post of the member of the Gram Panchayat. In any case, as of today, there is no order disqualifying the respondent No.1 from holding the post of the member of the Gram Panchayat. Moreover, the petitioner has never contested the election of the Gram Panchayat Narhe, nor was he elected. The petitioner seems to be a businessman and, therefore, he has no locus to file the petition.

4. In the above circumstances, we are unable to grant relief claimed in the petition. The petition is devoid of any merit and the same is, accordingly, dismissed.

(SMT. SADHANA JADHAV, J.)

[RANJIT MORE, J.]