

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

WRIT PETITION NO. 4150/2018

Purnabai Dudhram Pushtode

..VS..

The DC, Nagpur & ors.

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

Court's or Judge's orders

Shri A.H. Daga, Advocate for the petitioner
Shri S.P. Deshpande, AGP for the respondent nos. 1, 3 and 4

CORAM : Z.A.HAQ, J.

DATED : 03/12/2018

The petitioner has challenged the order passed by the State Election Commission disqualifying her from continuing as the member of the Gram Panchayat, as per Section 14B of the Maharashtra Village Panchayats Act, 1958.

The petitioner was declared elected on 25/07/2015. It is undisputed that as per the undertaking given by the petitioner while submitting her nomination papers, she was required to submit the accounts of expenditure to the concerned authority i.e. Tahsildar within 30 days. The petitioner failed to abide by the undertaking given by her and submitted the accounts of expenditure on 29/09/2015.

Though it is argued that the provisions of Section 14B of the Act of 1958 are not mandatory and Section 14B (1) (b) of the Act of 1958 enables the State Election Commission to condone the lapse/delay in submitting the

accounts of expenditure if good reason or justification is shown, I find that the petitioner has not been able to justify the delay. Hence, I see no reason to interfere with the impugned order.

The writ petition is **dismissed**. No costs.

JUDGE

Ansari