

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8079 OF 2019

SANTOSHI HANUMANT SARJE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Dharashive M. L.

AGP for Respondents: Mr. S. B. Yawalkar

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CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.

DATE: 03rd JULY, 2019

PER COURT:

1. Heard Mr. Dharashive, learned counsel for the petitioner. The learned counsel submits that in spite of the directions of this Court in Writ Petition No. 1082 of 2019 dated 11.02.2019, the proceedings are not yet decided by the committee. The contempt petition is also filed. The petitioner is elected as Sarpanch. The petitioner be protected.

2. The learned Additional Government Pleader accepts notice for all the respondents and submits that the disqualification upon non submission of validity within the stipulated period is axiomatic.

3. The petitioner had already approached this Court by filing Writ Petition No. 1082 of 2019. This Court directed that the committee shall decide the validation proceedings within a period of 12 weeks and the petitioner did not press the prayer clause for interim orders i.e. not to take any coercive action against the petitioner. The said writ petition is disposed of under order dated 11.02.2019. The contention is that the committee has not decided the proceedings within the stipulated period as directed by this Court. The petitioner has other remedy available. The disqualification upon non submission of validity within the stipulated period is axiomatic.

4. In the light of that, prayer of the petitioner in the present writ petition cannot be considered.

5. Writ Petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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