

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

911 WRIT PETITION NO.11373 OF 2019

SURESH RANJEET NAGRE

..PETITIONER

VERSUS

THE STATE OF MAHRASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Nilkanth P. Bangar, Advocate for the
Petitioner.

Mr. S. B. Yawalkar, AGP for Respondents-State.

Mr. Kiran B. Jadhavar, Advocate for Respondent
No.3.

...

CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.

DATED : 10th OCTOBER, 2019.

ORAL JUDGMENT (Per: S. V. Gangapurwala, J.):—

1. Rule. Rule made returnable forthwith.
With the consent of parties, matter is taken up for
final hearing.

2. The grievance of the petitioner is that
the petitioner being a Sarpanch is not allowed to
cast his regular vote.

3. We have heard Mr. Bangar, learned counsel
for the petitioner and learned A.G.P.

4. The issue is no longer *res integra*. If
the Sarpanch is directly elected, the Sarpanch has
a right to cast regular vote. Reference can be

made to the judgment of the Division Bench of this Court in writ petition bearing No.209/2018 with connected writ petitions decided under the judgment dated 06.03.2018. In the said judgment this Court held that the directly elected Sarpanch is entitled to exercise right conferred upon an elected member of Panchayat including the right to cast vote at the meeting convened to elect Upa-sarpanch of village panchayat.

5. In light of the above and for the reasons recorded in the judgment dated 06.03.2018 in writ petition no.209/2018 with connected writ petitions it is declared that the petitioner is entitled to exercise right conferred upon an elected member of Panchayat including the right to cast vote at the meeting convened to elect Upa-sarpanch of village panchayat.

6. Rule made absolute in above terms. No costs.

(ANIL S. KILOR)
JUDGE

(S. V. GANGAPURWALA)
JUDGE