

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WPST NO. 28226 OF 2019

Datta Vyankoji Jumbde

...Petitioner

Vs.

The State of Maharashtra and Ors.

...Respondents

Ms. Neha B. Kamble, Advocate for Petitioner
Mrs. A.V. Gondhalekar, Additional Government Pleader
for Respondents-State

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 06th SEPTEMBER, 2019

ORAL ORDER:

1. The matter is presented across the bar by Miss. Kamble, the learned Counsel for the petitioner. The learned Counsel submits that the election for the post of Sarpanch of village Jambhrun (Andh), is scheduled today. The said post is reserved for Other Backward Class. The present respondent No. 5 is the only O.B.C. candidate against her disqualification petition is filed by the petitioner and is pending. The hearing has been conducted by the Collector. Though the respondent No. 5 is not qualified, she would be selected by default as a Sarpanch.

2. The Collector has not yet passed an order of disqualification. In case the petition filed by the petitioner against respondent No. 5 is allowed by the Collector, the consequences will follow.

3. Today, we cannot pre-empt any decision on the part of the Collector.

4. Needless to state, the petitioner may take further steps pursuant to the Judgment that would be delivered by the Collector in the proceedings filed by the parties.

5. In view of the above, the Writ Petition is disposed of. No costs.

[ANIL S.KILOR]
JUDGE

[S.V.GANGAPURWALA]
JUDGE

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