

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10291 OF 2018

Vitthal Sopanrao Phanse	...	Petitioner
Versus		
The State of Maharashtra & Ors.	...	Respondents

Mr. P. D. Dalvi I/by Mr. B. S. Shinde for Petitioner.

Mr. S. D. Rayrikar, AGP for Respondent Nos. 1 to 3.

Mr. Sarthak Diwan I/by Mr. V. R. Gaikwad for Respondent Nos. 5 to 8.

CORAM : S. S. SHINDE, J.

DATE : MARCH 14, 2019.

P.C. :

. Heard learned Counsel appearing for the respective Respondents.

2. This Petition takes exception to the order dated 14th August 2018 passed by the learned Collector, Satara in Dispute Application No. 6 of 2017. It appears that the Petitioner contested the election for the post of Deputy Sarpanch, however, he could not succeed in that election, since four members out of five members voted against the Petitioner.

3. The ground agitated by the Petitioner in Dispute Application before the Collector was that the woman panchayat member who contested the election from the reserved category did not submit the validity certificate within six months from the date of declaration of the results of the panchayat election. Since the Petitioner has secured only one vote and four panchayat members voted against him, even if for a moment it is assumed that the woman panchayat member was not eligible to cast the vote, in that case also the remaining three members out of five has voted against the Petitioner. In that view of the matter further adjudication of this Petition would be only for academic purpose and would not serve any purpose.

4. In that view of the matter, for the reasons stated above, the Writ Petition stands rejected.

(S. S. SHINDE, J.)