

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

WRIT PETITION (ST.) NO. 34301 OF 2017

Dadaso Tukaram Patil & Ors.

.. Petitioners

Vs.

Islampur Municipal Council & Ors.

.. Respondents

Mr.U.R. Mankapure, Advocate for petitioners.

Mr.R.K. Bobade, Advocate for respondent No.1.

Mr.P.K. Sawant, AGP for respondent Nos. 2, 4 and 5.

Mr.S.A. Pilankar holding for U.P. Warunjikar, Advocate for respondent No.3.

**CORAM : B.R. GAVAI &
N.J. JAMADAR, JJ.**

DATE : 23RD JANUARY 2019

P.C.

1 The petitioners have approached this Court being aggrieved by the order passed by respondent No.2-Collector, dated 28th November 2017 thereby holding that the earlier order passed by him on 16th November 2017 thereby directing to hold a meeting to be convened as per Section 81(3) of the Maharashtra Municipal Council, Nagar Panchayat and Industrial Township Act, 1965 ('the said Act') be reviewed.

2 When the petitions were heard yesterday, we have *prima-facie* observed that the review is not permissible. We have further *prima-facie* observed that the provisions of Section 81(3) of the said Act are mandatory

in nature. Section 81(3) of the said Act provides that the Collector is bound to convene a meeting within 15 days from the date of the requisition sent by not less than one fourth members of the Council. However, the Collector, Sangli has, vide his communication dated 23rd January 2019 informed that he has decided to hold a meeting and as per the request of the petitioners herein, the necessary orders, as per provision of Section 81(3), regarding convening a special meeting will be issued within a period of 15 days from today.

3 In view of above, the purpose of this writ petition is served. The petition is, therefore, disposed of by taking on record the communication of the Collector, Sangli, dated 23rd January 2019 and accepting the statement made therein as an undertaking to this Court.

4 The petition is disposed of in above terms.

[N.J. JAMADAR, J.]

[B.R. GAVAI, J.]