

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1403/2019

Sau. Soni Mangesh Diwase

..Vs..

The Collector, Chandrapur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.S. Kurekar, Advocate for the petitioner.
Shri S.P. Deshpande, Addl. G.P. for respondent Nos.1 and 2.

CORAM : Z.A. HAQ, J.

DATE : 21.2.2019.

At the outset, it has to be mentioned that the copy of the impugned order placed on record is not legible. I have heard the matter referring the copy of impugned order from the record of learned Additional Government Pleader. The petitioner has challenged the order passed by the learned Collector dismissing the dispute raised by him under Section 35 of the Maharashtra Village Panchayats Act, 1958.

In the meeting convened on 10th April 2018, no confidence motion is passed against the petitioner by all the six Members of the Grampanchayat excluding the petitioner. According to the petitioner, while convening the meeting on 10th April, 2018 the provisions of Rule 2(2) of the Maharashtra Village Panchayats Sarpanch and Up-Sarpanch (No Confidence Motion) Rules, 1975 were not complied and nine additional copies of the

notice were not supplied. The learned Collector has recorded a finding of fact that the provisions of Rule 2(2) of the Maharashtra Village Panchayats Sarpanch and Up-Sarpanch (No Confidence Motion) Rules, 1975 were complied with. The petitioner has not been able to point out that the finding of fact recorded by the learned Collector is not proper.

In the facts of the case, I see no reason to interfere with the impugned order. The writ petition is **dismissed** with costs of Rs.5,000/- (Rs. Five Thousand) to be deposited by the petitioner with the High Court Legal Services Sub-Committee, Nagpur. The receipt showing the deposit of costs shall be produced on record of this petition within one month.

JUDGE