

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

WRIT PETITION NO. 4741/2019

Nandkishor Bhimrao Wasankar

..VS..

Hon'ble Minister, Rural Development, Maharashtra State and ors.

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

Court's or Judge's orders

Mr. P.S. Patil, Adv. For the petitioner
Shri N.R. Patil, A.G.P. for respondent Nos. 1 and 2.

CORAM : Z.A.HAQ, J.

DATED : 12th July, 2019

Heard.

The petitioner, elected Sarpanch of Gram Panchayat is disqualified from continuing as Sarpanch on various grounds, one of it being that, he is responsible for illegal felling of trees without seeking permission of Tree Officer as required as per provisions of The Maharashtra Felling of Trees (Regulation) Act, 1964. It is undisputed that the Gram Panchayat has deposited an amount of Rs. Eight Thousand towards penalty for illegal felling of trees. In view of the nature of charges framed against the petitioner, I am not inclined to show any indulgence in the matter.

One of the submission on behalf of the petitioner is that the trees were fell/ cut after a resolution was passed by the Gram Panchayat and Gram Sabha after receiving several complaints from residents of village, and Sarpanch alone cannot be penalised for it. The petitioner cannot get any benefit because of the inaction on the part of the authorities

against the other members of the Gram Panchayat who are responsible for illegal felling / cutting of trees.

The respondent no. 2 – Divisional Commissioner shall look into the matter and take appropriate action against the other erring members of the Gram Panchayat also, if, deemed fit in the circumstances of the case.

The writ petition is dismissed. In the circumstances, the parties to bear their own costs.

JUDGE

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