

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

WRIT PETITION NO. 1544 OF 2019

(BANDU AWDHOOT GODMALE....VS.. THE COLLECTOR WASHIM & OTH.)

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

Court's or Judge's orders

Shri K.S.Malokar, Advocate for Petitioner.
Shri S.P.Deshpande, Addl.G.P. for Respondent Nos.1 and 2.

CORAM : Z.A.HAQ, J.

DATED : MARCH 01, 2019.

Heard.

The petitioner has challenged the order passed by the learned Collector dismissing the dispute filed by him under Section 35(3) of the Maharashtra Village Panchayats Act, 1958 and upholding the resolution passed by the Gram Panchayat by which no confidence motion against the petitioner is passed. Out of 9 members of the Gram Panchayat, 1 member was absent in the meeting. Out of 8 members, who were present in the meeting, 7 members have voted in favour of the No Confidence Motion.

According to the petitioner, the charges / grounds on which the petitioner is removed are not proper and sufficient to remove him from the elected office.

In my view, this would not be relevant and while examining the legality of the resolution, by which No Confidence Motion is accepted or rejected, the authority has to only examine whether the meeting convened for considering the No Confidence Motion is convened as per the law or not.

In the facts of the case, it cannot be said that the learned Collector has committed any illegality or error of jurisdiction by dismissing the dispute filed by the petitioner. I see no reason to interfere with the impugned order.

The writ petition is **dismissed**. No costs.

JUDGE

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