

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2671 OF 2020

MINAKSHI MARUTI KHATIK
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Shri P. P. Patil h/f.
Shri S. D. Nagode
AGP for Respondents - State : Shri N. T. Bhagat
...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 20th FEBRUARY, 2020

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PER COURT :

1. The learned Advocate for the Petitioner has moved a motion at 10.30 a.m. expressing grave urgency in this matter. Hence, taken on the production board.
2. The Petitioner is aggrieved by the passing of the 'no confidence motion' with a vote count of 8 : 1. She is also aggrieved by the order of the District Collector, Ahmednagar dated 17/01/2020, concluding that the application is devoid of merit and hence it has been dismissed.

3. The learned Advocate for the Petitioner contends that a clear 7 days notice has to be given after the requisition motion is moved.

4. I find that the submissions of the learned Advocate for the Petitioner, in view of Section 35(2) of the Maharashtra Village Panchayats Act, 1959, cannot be sustained. It mandates that a special meeting for considering the motion of 'no confidence' has to be convened within 7 days from the receipt of the requisition motion, by the Tahsildar. The motion was moved on 10/12/2019 and the special meeting was convened on 13/12/2019. The said motion was carried by 8 votes in favour and the Petitioner was the lone person defending herself against the said motion.

5. In view of the above, I do not find that the impugned order or the motion that was carried, can be termed as unsustainable or illegal. This petition, being devoid of merit is, therefore, dismissed.

(RAVINDRA V. GHUGE, J.)

shp/-