

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

WRIT PETITION NO.7501 OF 2020

SHRI LALIT S/O SHIVDAS CHAURE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA & ORS. ..RESPONDENTS

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Mr. Yogesh B. Bolkar, Advocate for the Petitioner.
Mr. P. S. Patil, AGP for Respondents-State.
Mr. D. S. Bagul, Advocate for Caveator-Shalini Musale.

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**CORAM : S. V. GANGAPURWALA &
R. G. AVACHAT, JJ.**

DATED : 02nd NOVEMBER, 2020.

PER COURT:-

1. Mr. Bolkar, learned counsel for the petitioner submits that the elections for the post of Sarpanch are declared and to be held on 03.11.2020. The learned counsel submits that one member Shalini Jagdish Musale has tested Covid positive. The elections be postponed by one week. Even as per Section 43 of the Maharashtra Village Panchayat Act the election can be held within 30 days. The vacancy has occurred on 21.10.2020.

2. Mr. Bagul, learned counsel submits that he has filed caveat on behalf of Shalini Musale and she does not support the petitioner. They are from different panels and if permitted the said Shalini Musale would take part in the election confirming to all the norms.

3. It is for the Authority to consider the manner of holding the election. The petitioner is not precluded from participating in the election process as may be permissible. We do not find any ground to entertain the present writ petition.

4. Writ Petition as such is disposed of. No costs.

(R. G. AVACHAT)
JUDGE

(S. V. GANGAPURWALA)
JUDGE