

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

**WRIT PETITION NO.546/2019**

Sau. Bebitai Siddharth Tayde and others

Vs.

Hon'ble Minister, Rural Development Department, Mantralaya, Mumbai and others.

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

Court's or Judge's order

.....  
Shri. N. R. Patil, Assistant Government Pleader for respondent  
Nos.1 to 3.

CORAM : **R.K. DESHPANDE &**  
**A.S. CHANDURKAR, JJ.**

DATED : **04<sup>th</sup> JANUARY, 2020.**

. None for the petitioner.

The relief sought in the Writ Petition is for setting side the notices dated 10.01.2019 and 14.01.2019 that were issued by the Collector for holding election to fill in the vacancies on the post of Sarpanch and Upsarpanch by the Gram Panchayat. The Petitioner and certain other members of the Gram Panchayat were removed from their posts under Section 39(1) of the Maharashtra Village Panchayat Act 1958. The said members including the petitioners then filed an appeal before the State Government. During pendency of that appeal, the impugned notices have been issued for filling in the vacancies.

This Court while issuing notice on 22.01.2019 did not grant any interim relief in favour of the petitioners. It is therefore, likely that the elections

that were scheduled on 24.01.2019 might have been held.

Accordingly, we dispose of the Writ Petition by observing that the subsequent elections held would be subject to the outcome of the appeal filed by the petitioners and other members before the State Government.

**JUDGE**

**JUDGE**

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