

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

WRIT PETITION NO. 818 OF 2021

Vijaya Prakash Pawar

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr A.B. Kale, Advocate for petitioner

Mr S.R. Yadav – Lonikar, A.G.P. for respondents no.1 to 3

Mr Bhushan Patil, Advocate h/f Mr D.B. Thoke, Advocate for respondent no.4

**CORAM : S.V. GANGAPURWALA AND  
SHRIKANT D. KULKARNI, JJ.**

**DATE : 19th January 2021**

**PER COURT :**

1. The election of the Chairman of Standing Committee of respondent no.4 – Municipal Council is to be held on 20<sup>th</sup> January 2021. The petitioner and one another namely Shamlal Wamanrao Kumavat belong to Shivsena party. As per the strength of the party, it can have representative of one member. It appears that there is no party leader of Shivsena party nor there is any *Gat Neta*. The party also did not register itself with the Collector. The Chief Officer has observed that Shivsena party can have one member on the Standing Committee. Both the members have given nomination forms and both the members are not *ad idem*. The Chief Officer has moved the Collector under Section 63 (2C) of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Township Act, 1965 to decide about as to the member representing Shivsena party in the Standing Committee. It is submitted that the same was received on 8<sup>th</sup> January 2021 by the Collector office and the Clerk entered it in the register on 14<sup>th</sup> January 2021.

2. Be that as it may, the election of the Chairman is scheduled on 20<sup>th</sup> January 2021. The Collector and/or the appropriate authority shall take decision as to the person who would represent Shivsena party in the Standing Committee prior to the election of the Chairman, as it is submitted that the Chief Officer has referred the same to the Collector.
3. Authenticated copy be given.
4. Writ Petition disposed of. No costs.

**( SHRIKANT D. KULKARNI, J.)**

**( S.V. GANGAPURWALA, J.)**

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