

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

WRIT PETITION NO.4422 OF 2021

**SAU. LATA MUKUND DHANWADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. R. V. Naiknaware h/f
Mrs. R. V. Ghogare

AGP for Respondents – State : Mr. S. W. Munde

Advocate for Respondent No.4 : Mr. V. B. Deshmukh

Advocate for Respondent No.5 : Mr. N. K. Tungar

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 01st JULY, 2022

PER COURT :

1. The petitioner sought disqualification of respondent No.5 from the post of Councilor of Osmanabad Municipal Council under Section 44 (4) of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Township Act, 1965. Admittedly, respondent No.5 was elected in the year 2016 and now his term as a Councilor is over and the process for elections of Councilors of Osmanabad Municipal Council is initiated. In that view of the matter, nothing survives in the present petition. Writ petition is, therefore, disposed of as infructuous.

2. The petitioner is entitled to agitate his grievance in case respondent No.5 is elected again.

(NITIN B. SURYAWANSHI, J.)