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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.843 OF 2022

Nana Keru Thorat .. Petitioner

Versus

Collector Pune & Ors. .. Respondents

...

Mr.Sumedh Rulkar i/b Mr.Chaitanya Nikte for the Petitioner.

Mr.C.D.Mali, AGP for the State/Respondent.

...

CORAM: RAVINDRA V. GHUGE, J.

DATED : 10th FEBRUARY, 2022

P.C:-

1. The learned Advocate for the petitioner submits that, pursuant to the order dated 27/01/2022, the petitioner desires to withdraw this petition.

2. On 27/01/2022, I had passed the following order.

“1. By this petition, the petitioner (Upsarpanch), who has suffered no confidence motion by 8=Nil vote count, contends that the notice for convening the Special Meeting was never served upon him. The impugned order indicates, on the basis of the report of the Talathi and the documents available, that the notice was served upon the petitioner and yet, he remained absent in the meeting.

2. The learned Advocate for the petitioner submits that the petitioner makes a solemn statement that he was never served with the notice and eventually, if it is concluded that he had received the notice and the signature appearing on the

document is his signature, he is willing to suffer any costs under the orders of this Court.

3. Subject to the solemn statement made by the petitioner, I am calling upon the learned AGP, representing respondent Nos.1 and 2, to keep the original record available for perusal of the Court on 04/02/2022. The petitioner is at liberty to serve respondent Nos.3 to 12 by Speed Post A.D. tomorrow itself and produce the copy of the tracking report for the perusal of the Court.

4. It is made clear that if the contentions of the petitioner that he had never signed on the notice and that the notice was never served upon him and that the notice which carries the signature, is not his signature, turn out to be untrue, this Court would not hesitate to saddle the petitioner with cost of Rs.2.5 Lakhs.

5. Stand over to 04/02/2022 in the urgent category.”

3. In view of the above, this petition is disposed off as withdrawn unconditionally.

(RAVINDRA V. GHUGE, J.)