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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6143 OF 2022**

Shri Ramesh Nathu Palaskar
and Others

....Petitioners.

v/s

State Election Commission,
Maharashtra and Ors.

.... Respondents.

Mr. Sugandh Deshmukh for the Petitioners.

Mr. K.S. Thorat, AGP for the Respondent-State.

**CORAM: NITIN W. SAMBRE &
ANIL L. PANSARE, JJ.**

**DATE: MAY 17, 2022
(Vacation Court)**

P.C.:-

1] Heard Mr Sugandh Deshmukh, Counsel for the Petitioners.

2] Drawing support from the communication issued by Sarpanch of the Grampanchayat, Varak on 30/11/2021 contentions are, the post of the Petitioner as Grampanchayat Member was never declared as vacant as his resignation was not accepted in lawful manner. That being so, order of Zilla Parishad, thereby directing elections of Village

Panchayat is illegal.

3] We have appreciated the said submissions.

4] Fact remains that, apart from the fact that election process of the Village Panchayat is at an advance stage, the communication dated 30/11/2021 as issued by the Sarpanch is without any authority and as such same will be hardly of any significance to infer that resignation of the Petitioner was not lawfully accepted or processed. Rather Petitioner has an appropriate remedy of seeking a declaration that resignation was not properly accepted by the competent authority which he has not taken recourse to.

5] In this backdrop, I hardly see any reason which warrants interference in the process of election at this stage. Petition is devoid of merits, as such fails and same stands dismissed.

(ANIL L. PANSARE, J.)

(NITIN W. SAMBRE, J.)