

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

WRIT PETITION NO. 7218 OF 2022

Balaji s/o Pandurang Wadje

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr. N. R. Pawade, advocate for the petitioner.

Mr. D. R. Kale, Government Pleader for Respondents No.1, 4 and 5.

Mr. B. B. Bhise, advocate for Respondent No.6.

**CORAM : S.V.GANGAPURWALA, ACTING CJ &
GAURI GODSE, J.**

DATE : 23rd January, 2023.

PER COURT :

1 The learned Counsel for the petitioner submits that the petitioner has raised an objection to the ward formation of Osmanabad *Zilla Parishad*. Learned Counsel for the petitioner strenuously contends that while forming the wards, one has to consider existence of rivers, dams, mountains, roads and all other natural aspects that would be in furtherance of smooth functioning. The wards formed are not convenient for the administration. Nagur village is bifurcated by the dam and, therefore, no proper access is

available to the village. He submits that detailed objection, in that regard, has been raised by the petitioner, however, the same has been negated without considering essence of the objection.

2 We have heard the learned Government Pleader also.

3 The jurisdiction of this Court of judicial review, in such matters, would be limited. The procedure for formation of the wards has been adhered to. The only objection, it appears, is about convenience. The Divisional Commissioner, in his order, has observed that in Nagur village there is a polling booth and in view of Makani Nimna Terna Project, there is road available for day-to-day functioning of the villagers. The distance between Lohara and Nagpur village is 11.5 Kms and due to Nimna Terna Project, there would be no problem for communication of the villagers. The objections of the petitioners have been considered by the authorities concerned.

4 In the light of that, it would not be possible to exercise our powers of judicial review.

5 Writ Petition is disposed of. No costs.

[GAURI GODSE, J.]

[ACTING CHIEF JUSTICE]

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