

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

930 WRIT PETITION NO.8490 OF 2022

**LALITA GANESH GHORBAND
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

...
Advocate for Petitioners : Mr. A.M. Gaikwad
AGP for Respondents 1 & 2 : Mr. K.B. Jadhavar
Advocate for Respondent 4 : Mr. N.B. Khandare h/f. Mr. Umesh Gite
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**CORAM : ARUN R. PEDNEKER, J.
DATED : 01/03/2023**

PER COURT :

1. Heard the learned counsel for the parties.
2. By the present writ petition, the petitioner challenges the impugned order dated 26.7.2022 passed by the respondent No. 2 - Collector, Nanded, disqualifying the petitioner being the Member of the Village Panchayat as well as the Sarpanch of the Village Panchayat.
3. The impugned order passed by the Collector held that the petitioner has not conducted the monthly meeting and the said finding was rendered without the record of the Panchayat being produced by the Gram Sevak, but on the basis of other evidence produced on record.
4. After issuance of the notice in the present writ petition, the learned AGP has produced the record of the Panchayat available with the Gramsevak.
5. In view of the record submitted in this Court and on perusal of the record, prima facie case being demonstrated by the petitioner, the impugned order passed by the Collector, Nanded is quashed and set aside. The matter is remanded back to the Collector for fresh consideration and

Collector is directed to proceed on the basis of the material and record of the Panchayat received from the Gram Sevak. The Collector is directed to decide the remanded case within a period of eight weeks from the date of production of this order.

6. Interim arrangement, if any, to continue till then.
7. Parties to appear before the Collector on 9.3.2023. The learned AGP to intimate about the aforesaid record to the Collector.
8. The writ petition is disposed of accordingly.

[ARUN R. PEDNEKER J.]

ssc/