

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

WRIT PETITION NO. 8472 OF 2015

1. Rajkumar Venkatrao Kalme
2. Sadashiv Sopan Gavhane
3. Bhairavnath Anandrao Pisal
4. Sahebrao Kondiba Kshirsagar .. Petitioners

Versus

1. The State of Maharashtra
Through the Secretary.
2. The District Collector, Latur.
3. The District Deputy Registrar/
Returning Officer,
Co-operative Societies, Latur.
4. The Agricultural Produce Market
Committee at Latur, through its Secretary.
5. Manoj Panditrao Patil
6. Tukaram Dhondiba Ade .. Respondents

Mr. Amit A. Mukhedkar, Advocate for the Petitioners.
Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 3.
Mr. B. N. Patil, Advocate for Respondent No. 4.

**WITH
CIVIL APPLICATION NO. 6683 OF 2016
IN
WRIT PETITION NO. 8472 OF 2015**

1. Vaibhav Chandrakant Dahiphale

2. Seema Babasaheb Chitale
3. Manik Dasharath Londhe
4. Sampat Keshavrao Gaikwad .. Applicants

Versus

1. The State of Maharashtra
Through the Secretary.
2. The District Collector, Latur.
3. The District Deputy Registrar/
Returning Officer,
Co-operative Societies, Latur.
4. The Agricultural Produce Market
Committee at Latur, through its Secretary.
5. Rajkumar Venkatrao Kalme
6. Sadashiv Sopan Gavhane
7. Bhairavnath Anandrao Pisal
8. Sahebrao Kondiba Kshirsagar .. Respondents

None for the Applicants.

Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 3.

Mr. B. N. Patil, Advocate for Respondent No. 4.

Mr. Amit A. Mukhedkar, Advocate for Respondent Nos. 5 to 8.

**WITH
WRIT PETITION NO. 6027 OF 2015**

1. Vishal Vishwanath Pratap Patil
2. Venkat Hariba Hajare
3. Latabai Netaji Shinde
4. Appasaheb Narayan Londhe

5. Saudagar Shankar Mane
6. Shobha Shesherao Padule
7. Suresh Murlidhar Mayande
8. Simabai Vilasrao Kshirsagar
9. Mangalbai Pratap Patil
10. Surekha Subhash Rasal
11. Anita Balaji Divate
12. Rajabhau Maruti Rasal
13. Sakhubai Vishnu Sagar

.. Petitioners

Versus

1. The State of Maharashtra
Through the Secretary.
2. The District Collector, Latur.
3. The District Deputy Registrar
Co-operative Societies, Latur.
4. The Agricultural Produce Market
Committee, Latur, through its Secretary.
5. Awdabai Bharat Sirsath
6. Hanmant Vishwanath Jagdale
7. Gopal Mahadeo Dhokle
8. Ramkishan Shivaji Mane
9. Padminbai Niloba Mayande
10. Suresh Dhondiba Londhe

11. Lalit Digambar Shinde

12. Chhaya Vaijnath Kshirsagar .. Respondents

Mr. A. N. Irpatgire, Advocate for the Petitioners.

Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 3.

Mr. B. N. Patil, Advocate for Respondent No. 4.

Mr. A. A. Mukhedkar, Advocate for Respondent Nos. 7, 8 & 11.

**WITH
WRIT PETITION NO. 7950 OF 2015**

1. The Gram Panchayat, Aurad Shahajani,
Through its Member
Wajiuddin Rayajuddin Saraf

2. The Gram Panchayat, Takli
Through its Member
Maruti Kishanrao Biradar

3. The Gram Panchayat, Pirupatelwadi
Through its Member
Balikabai Maruti Irlapalle

4. The Gram Panchayat, Sawri
Through its Member
Saraswati Kishor Sagre

.. Petitioners

Versus

1. The State of Maharashtra
Through the Secretary.

2. The District Collector, Latur.

3. The District Deputy Registrar
Co-operative Societies, Latur.

4. The Assistant Registrar,
Co-operative Societies, AUSA/
The Returning Officer,
Agriculture Produce Market
Committee, Aurad-Shahajani.

5. The Agricultural Produce Market Committee, Aurad-Shahajani. .. Respondents

Mr. A. S. Reddy, Advocate for the Petitioners.

Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 4.

**WITH
WRIT PETITION NO. 7952 OF 2015**

1. The Gram Panchayat, Bolegaon (Bk.)
Through its Up-Sarpanch
Prabhakar Nivruttirao Bandgar
2. The Gram Panchayat, Shend
Through its Sarpanch
Bapurao Satish Bhinge
3. The Gram Panchayat, Karewadi
Through its Member
Mahipal Venkatrao Patil
4. The Gram Panchayat, Halki
Through its Member
Dhondiram Yadavrao Dhok
5. The Gram Panchayat, Sakol
Through its Member
Dnyanoba Pandharinath Vhane
6. The Gram Panchayat, Tipral
Through its Member
Prayagbai Shivaji Birajdar
7. The Gram Panchayat, Ghu. Sangvi
Through its Member
Satish Chandrapkash Patil
8. The Gram Panchayat, Talegaon-Deoni
Through its Sarpanch
Pandit Shesherao Shinde
9. The Gram Panchayat, Hippalgaon
Through its Member

Dilip Tukaram Gaddime

10. The Gram Panchayat, Sumthana
Through its Member
Raju Baburao Warkad
11. The Gram Panchayat, Honmal
Through its Member
Mahesh Viresh Vyavhare
12. The Gram Panchayat, Shivpur
Through its Member
Ashok Madhav Lavande
13. The Gram Panchayat, Yerol
Through its Member
Anita Nandkumar Tambolkar
14. The Gram Panchayat, Lakkad-Jawalga
Through its Sarpanch
Hirkanbai Manohar Kamble

.. Petitioners

Versus

1. The State of Maharashtra
Through the Secretary.
2. The District Collector, Latur.
3. The District Deputy Registrar
Co-operative Societies, Latur.
4. The Assistant Registrar,
Co-operative Societies, Nilanga/
The Returning Officer,
Agriculture Produce Market
Committee, Shirur-Anantpal.
5. The Agricultural Produce Market
Committee, Shirur-Anantpal.

.. Respondents

Mr. Ajinkya Reddy, Advocate for the Petitioners.
Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 4.
Mr. S. S. Shinde. Advocate for Respondent No. 5.

**WITH
WRIT PETITION NO. 10694 OF 2015**

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|--------------------------------------|----------------|
| 1. Pandharinath Suryabhan Hulsure | |
| 2. Samiyoddin Jainulaboddin Deshmukh | |
| 3. Mohan Laxmanrao Bhandare | .. Petitioners |

Versus

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|---|----------------|
| 1. The State of Maharashtra
Through the Secretary. | |
| 2. The District Deputy Registrar
Co-operative Societies, Latur. | |
| 3. The Assistant Registrar/
Returning Officer,
Co-operative Societies, Ausa | |
| 4. The Agricultural Produce Market
Committee at Aurad Shahajani | .. Respondents |

Mr. S. S. Shinde, Advocate for the Petitioners.

Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 3.

CORAM : KISHORE C. SANT, J.

DATED : 21st JUNE, 2023.

P. C. :-

. All these petitions were filed challenging the right of the voters from the Grampanchayat constituency. The dispute was as to whether the person whose name is sent by Grampanchayat is entitled to vote or whether in case the term of Grampanchayat is over and in that case whether new representative is to be nominated. The issue was referred to the Division Bench in Writ Petition No. 8472/2015. Accordingly, now the reference is answered by the Division Bench holding that in

case, where the term of Grampanchayat expires then naturally the term of the member of Grampanchayat being co-terminus with the Grampanchayat also ceases to have right to hold and in such cases new person is to be elected by Grampanchayat. Since the petitions were in respect of the elections those were to be held in the year 2015, by efflux of time those have become infructuous. The statement is made that the term of 2015-2020 is already over and thereafter there is administrator appointed and now in the year 2023 the elections are again held for the next term. All over the Maharashtra the elections of APMC are held and even notification is issued on 04.05.2023 in respect of all the APMC's.

2. In view of the same, all these writ petitions have become infructuous and are disposed off as such.

3. By order dated 01.10.2015 this Court has directed to put the ballot boxes in the custody of Registrar (Judicial). Since the petitions have become infructuous, the said ballot boxes be given back to the concerned authorities.

4. In view of disposal of the writ petitions, civil application also stands disposed off.

(KISHORE C. SANT, J.)

P.S.B.