

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

1000 WRIT PETITION NO. 10833 OF 2022

SUNIL TRAMBAK KHAIRNAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the petitioner : Mr.P.B.Patil (Borse)
AGP for Respondent-State : Mrs.V.N.Patil-Jadhav
Advocate for Respondent no.4 : Mr.S.S.Phatale

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CORAM : ARUN R. PEDNEKER, J.

DATE : 21.04.2023

P.C. :

1] The learned counsel for the petitioner submits that he had filed a dispute under Section 7 of the Maharashtra Village Panchayat Act, 1959 [for short 'the Act of 1959', seeking disqualification of the respondent no. 4 – Sarpanch for not conducting meetings of Gramsabha. However, the authority has proceeded under Section 36 of the Act of 1959 which relates to the disqualification of the Sarpanch or Upa-Sarpanch for not holding monthly meeting of Gram Sabha.

2] In view of the same, the order dated 12.09.2022 passed by the District Collector, Jalgaon in Grampanchayat Dispute No.41 of 2022 is quashed and set aside. The matter is remanded back to the District Collector to decide the complaint afresh for not holding of Gram Sabha meetings as per the provisions of Section 7 of the Act of 1959. As the term of the Grampanchayat will soon come to an end, the District Collector, Jalgaon would make endeavour to decide the Grampanchayat Dispute as early as possible after hearing all the parties.

3] The Writ Petition is disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE

DDC