

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 362 OF 2023

VISHAL SAMBHAJI JADHAVAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERSE.

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Mr. S.J. Salunke, Advocate for petitioner.
Mr. P.K. Lakhotiya, AGP for respondents.

CORAM : MANGESH S. PATIL
& S.G. CHAPALGAONKAR, JJ.

DATE : 14 FEBRUARY 2023

PC.:-

1. The petitioner is questioning the right of Sarpanch to cast two votes at the election of Upa-Sarpanch conducted under section 33 of the Maharashtra Village Panchayats Act, firstly as a member and then, to cast the casting vote.
2. This Court in the matter of *Anuja Kalyan Gore Vs. State of Maharashtra and others (W.P. No. 209 of 2018 with other connected matters)* has already considered the provision and a similar argument and has emphatically held that the Sarpanch would have such right to cast vote on two occasions, in the same election process. The decision has subsequently been followed by us in several other matters.
3. In view thereof, writ petition is dismissed.

[S.G. CHAPALGAONKAR]
JUDGE

[MANGESH S. PATIL]
JUDGE

grt/-