

Arjun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2035 OF 2023

Prashant Sakharam Dumbre & Ors. ...Petitioners

V/s.

State of Maharashtra & Ors. ...Respondents

**WITH
INTERIM APPLICATION NO.15553 OF 2023
IN
WRIT PETITION NO.2035 OF 2023**

Mrs. Geeta Nitin Pansare ...Applicant

In the matter of

Prashant Sakharam Dumbre & Ors. ...Petitioners

V/s.

State of Maharashtra & Ors. ...Respondents

Ms. Surbhi Agarwal a/w Suraj Gurav, Jayashri Mane & Aditya Gurav, for the Applicant in IA/15553/2023 and for the Respondent No.4 in WP/2035/2023.

Mr. Drupad S. Patil a/w Namitkumar Pansare, for the Petitioners in WP/2035/2023.

Mr. P. P. Pujari, AGP, for the Respondent-State.

**CORAM : MADHAV J. JAMDAR, J.
DATED : OCTOBER 04, 2023**

P.C.:

1. The challenge in the present Writ Petition is to the legality

and validity of the impugned order dated 14th February 2023 passed by the Tahsildar Junnar, Taluka-Junnar, District-Pune by which he has cancelled the special meeting scheduled to be held on 15th February 2023 for consideration of no-confidence motion against the Respondent No.4.

2. A learned Single Judge by the order dated 29th March 2023 has granted ad-interim relief in terms of prayer clause (c).

The said prayer clause (c) reads as under :

“c. Pending hearing and final disposal of the present Writ Petition, the operation, implementation, execution and effect of said Order dated 14/02/2023 passed by Respondent No.3 being Exhibit M to this Petition be stayed;”

3. Thus, accordingly, the said impugned order by which the Tahsildar has refused to act on said requisition notice regarding motion of no-confidence against Respondent No.4 is stayed.

4. Mr. Patil, learned counsel appearing for the Petitioners as well as Ms. Agarwal, learned counsel appearing for Respondent No.4 state that, in view of the ad-interim relief granted by this Court, the said meeting was called and the motion of no-confidence has been carried.

5. It is also admitted position that the Respondent No.4 has filed Dispute Application No.58 of 2023 before the District Collector, Pune challenging passing of said no-confidence motion.

It is the contention of Mr. Patil as well as Ms. Agarwal that although the District Collector, Pune has heard the submissions of the parties, order is not passed in said Dispute Application No.58 of 2023 in view of the pendency of the present Writ Petition. As noted herein above as the ad-interim relief in terms of prayer clause (c) was granted, further steps were taken and, therefore, now, the Writ Petition has become infructuous.

6. However, it is to be noted that the motion of no-confidence was passed on 6th April 2023 and the said Dispute Application No.58 of 2023 is not decided till date. The District Collector, Pune is requested to hear the parties, if necessary and pass the order on Dispute Application No.58 of 2023 on or before 31st October 2023.

7. Accordingly, the Writ Petition is disposed of in above terms with no order as to costs.

8. In view of the disposal of the Writ Petition, nothing survives in the Interim Application and the same is also disposed of.

[MADHAV J. JAMDAR, J.]