

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2417 OF 2023

Ramesh Kisan Gite ... Petitioner

Versus

The Gramsevak, Grampanchayat
Sansari Taluka and District Nashik and others ... Respondents

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Mr. T.D. Deshmukh alongwith Mr. Anshuman Deshmukh instructed by
Mr. Harish Chavan for the Petitioner.

Mr. C.D. Mali, AGP for the State.

Mr. Sachin Gite for the Respondent No.2.

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CORAM : N.R. BORKAR, J.

DATED : 7 AUGUST 2023

P.C. :-

. By the order impugned dated 27 January 2023, the learned Additional Commissioner has allowed the appeal filed by the respondent No.2 against the order passed by the learned Additional Collector dated 24 May 2022 by which the respondent No.2 was disqualified from the post of Member/Sarpanch of Grampanchayat, Sansari under Section 14(1)(h) of the Maharashtra Village Panchayat Act, 1959.

2. The learned Counsel for the Petitioner submits that the learned Additional Commissioner has not taken into consideration the report of Gramsevak and the resolution passed by the Grampanchayat while allowing the appeal. It is submitted that the learned Additional Collector on the basis of report of the Gramsevak has recorded the finding

that the respondent No.2 has not paid the Grampanchayat property taxes within 90 days from the date of demand.

3. I have perused the impugned order. The learned Additional Commissioner has observed that on the date of filing of the complaint/dispute application, no property taxes were due against the respondent No.2. In the facts and circumstances of the case, I am not inclined to interfere with the impugned order. Writ Petition is dismissed.

(N.R. BORKAR,J.)