



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION NO.2751/2023

IN

WRIT PETITION NO. 5625/2023

Subhash Krushnarao Khartadkar Vs. The Collector, Akola and Ors.

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders
.....

Court's or Judge's order

Mr. S. M. Vaishnav, Advocate for Petitioner.

Ms. N. P. Mehta, Additional Government Pleader for Respondent Nos.1 & 2.

Mr. Pritesh N. Atkar, Advocate for Intervenor.

CORAM : A.S.CHANDURKAR AND MRS.VRUSHALI V. JOSHI,JJ..

DATED : 12.10.2023

CIVIL APPLICATION NO.2751/2023

. Considering the reason mentioned in the application, the prayer for impleadment as party to the writ petition is granted.

2. The applicant be impleaded as respondent No.1 in the petition.

3. The Civil Application is disposed of.

CIVIL APPLICATION NO.3078/2023

. By this application, the petitioner prays that the elections for the post of Sarpanch that are scheduled on 16.10.2023 be stayed on the ground that the order of invalidation passed against the petitioner is the subject matter of the challenge in Writ Petition No.2725/2022. According to him, if the order of invalidation is set aside, the petitioner would be entitled to contest the election for the post of Sarpanch.

2. The learned Additional Government Pleader as well as the learned Counsel for the respondent No.4 point out that as per notice dated 04.09.2023, the post of Sarpanch at Gram Panchayat, Sirso has been now reserved for candidates from the Scheduled Caste Category. This reservation is to operate for the period from 2020 to 2025.

3. The petitioner seeks leave to challenge the notice dated 04.09.2023.

4. The petitioner is at liberty to challenge the same in accordance with law.

5. The elections scheduled on 16.10.2023 shall be held. The same shall however be subject to outcome of the present petition. In case the petitioner succeeds in Writ Petition No. 2725/2022 he is free to rely upon that adjudication as well.

6. The Civil Application is disposed of.

WRIT PETITION NO. 5625/2023

. Stand over three weeks.

(MRS.VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)