



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

Writ Petition No.6850/2023

Archana V The Additional Collector, Amravati and others

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

Court's or Judge's Orders

Mr. S.M. Vaishnav, Adv for petitioner.
Mr. H.V. Dhage, Adv for resp. nos. 4 to 11/Caveator.
Mr. I.J. Damle, AGP for resp. nos. 1 and 2.

CORAM : AVINASH G GHAROTE J.

DATE : 10-10-2023

The only contention is raised that the request for secret ballot made on 07-07-23 has been rejected (pg 29), which ought not to have been done in view of the provisions of the Bombay village Panchayat (Meeting) Rules, 1959. Rule 28 (1) of the said Rules requires that voting shall ordinarily be taken by word of mouth or by show of hands, if the majority of members present agree then decision be taken by ballot. In the instant case, it is not disputed that the Gram Panchayat had 9 members and 8 of them have moved motion for no confidence. In that view of the matter, the question of holding a ballot by a majority did not arise at all, as a consequence of which, the plea of having a secret ballot also does not survive. The said Rule also indicates that it is not mandatory, considering which, I do not see any reason to interfere in the order impugned in this petition. The petition is dismissed. No costs.

JUDGE

Deshmukh