



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 8120 OF 2024

BALU SHRIMANT TODEKAR

VERSUS

**THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS**

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Mr. Suresh S. Pidgewar, Advocate for the Petitioner.

Mr. S. B. Jadhav, AGP for Respondents-State.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 05th AUGUST, 2024.

P.C.:-

1. The petitioner filed complaint alleging disqualification against respondents i.e. Members of Village Panchayat and Sarpanch alleging that they have incurred disqualification under Section 14(1)(G) of the Maharashtra Village Panchayat Act, 1959.

2. The learned Advocate appearing for the petitioner points out that respondents have taken benefit of Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (for short 'MGNREGA') and constructed cattle shed in favour of family members. Accordingly, they have taken benefit of contract of Village Panchayat. The District Collector was pleased to issue notice to the respondents and conducted enquiry into the matter and recorded findings that Scheme in question is implemented by the Central Government and beneficiaries were registered as labour. The Scheme has nothing to do with Village Panchayat. Consequently, rejected plea of the petitioner for disqualification.

3. Nothing is brought to the notice of this Court to show that respondents have taken benefit of contract directly or indirectly for

themselves or their partners under the Village Panchayat. Both the Authorities have observed that work in question is not related to Village Panchayat, but same is part of MGNREGA. In that view of the matter, no case is made out to interfere in Writ jurisdiction of this Court.

4. Writ Petition stands dismissed.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/August-2024