



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

WRIT PETITION NO. 2591 OF 2024

[Municipal Council, Chandur Bazar, Dist. Amravati, Thr. Its. Chief Officer Vs.
Director, Municipal Administration Directorate, Belapur, Navi Mumbai & Ors.]

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

Court's or Judge's orders.

Mr. N. S. Bhelkar, Advocate for the petitioner.

Ms. A. A. Pannase, Advocate for the respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 15/10/2025.

1. Heard the learned counsel for the petitioner as well as the counsel for respondents.

2. The learned counsel for petitioner submits that the learned District Collector, Amravati by its order dated 15.10.2016 cancelled the resolution by Municipal Council, Chandurbazar, dated 02.05.2013 by exercising powers under Section 308 of Maharashtra Municipal Councils, Nagar Panchayat and Industrial Township Act, 1965 (herein after referred to as the "Act of 1965"). The said order was assailed before the Divisional Commissioner, Amravati who also confirmed the order passed by the District Collector, Amravati dated 15.10.2016. Learned counsel for the petitioner invited my attention to section 308 of the Act of 1965 and submitted that the authority didn't have the power to cancel the resolution and can only suspend the resolution.

3. This issue was not considered in the order passed by the District Collector and by the Divisional Commissioner.

4. In view thereof, the order dated 15.10.2016 passed by District Collector, Amravati and order dated 16.01.2018 in Revision by the Divisional Commissioner, Amravati are liable to be quashed and set aside. Hence, both the orders are hereby quashed and set aside.

5. The petition is partly allowed. The matter is remitted back to the District Collector with the direction to decide the issue afresh within a period of four months from today on the point whether the collector has the power to cancel the resolution or to suspend the resolution.

6. The parties to appear before District Collector Amravati on 04.11.2025.

(Siddheshwar S. Thombre, J)