



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

WRIT PETITION NO. 3235 OF 2025

Arvind Hiranman Gajbhiye, Age: 56 Years, Occ: Farmer,
R/o. Ward No.2, Walni, Tq. Saoner, Dist. Nagpur.

PETITIONER

VERSUS

1. The Collector, Nagpur.
2. The Additional Collector, Nagpur.
3. The Tahsildar, Saoner, Dist. Nagpur.
4. Naib Tahsildar, Saoner, Dist. Nagpur.
5. Gram Panchayat Walni, Through its Secretary,
Having Office at Village Panchayat Office,
Walni, Tq. Saoner, Dist. Nagpur.
6. Laik S/o. Hafiz Ansari (Deleted).
7. Shyampriti Bhardwaj, Age : 33 Years, Occ: Not
Known, R/o. At Post Walni Colony, Ward No.3,
Tq. Saoner, Dist. Nagpur.
8. Rajkumar Thakre, Age: 40 Years, Occ: Not
Known, R/o. At Post Walni Colony, Ward No.1,
Tq. Saoner, Dist. Nagpur.
9. Devaji Mulmule, Age: 41 Years, Occ.: Not Known,
R/o. At Post Walni Colony, Ward No.2, Tq. Saoner,
Dist. Nagpur.
10. Swapnil Shende, Age: 35 Years, Occ: Not Known,
R/o. At Post Walni Colony, Ward No.3, Tq. Saoner,
Dist. Nagpur.
11. Ashok Burde, Age: 46 Years, Occ: Not Known,
R/o. At Post Walni Colony, Ward No.5, Tq. Saoner,
Dist. Nagpur.
12. Shoheb Ansari, Age: 42 Years, Occ: Not Known,
R/o. At Post Walni Colony, Ward No.4, Tq. Saoner,
Dist. Nagpur.
13. Kanyakumari Bondre, Age: 35 Years, Occ: Not
Known, R/o. At Post Walni Colony, Ward No.1,
Tq. Saoner, Dist. Nagpur.
14. Babita Bavane, Age: 37 Years, Occ: Not Known,
R/o. At Post Walni Colony, Ward No.1, Tq. Saoner,
Dist. Nagpur.

15. Sindhutai Chakole, Age: 42 Years, Occ:
Not Known, R/o. At Post Walni Colony, Ward No.2,
Tq. Saoner, Dist. Nagpur.
16. Kiran Gautam, Age: 35 Years, Occ: Not
Known, R/o. At Post Walni Colony, Ward No.6,
Tq. Saoner, Dist. Nagpur.
17. Anita Shende, Age: 41 Years, Occ: Not Known,
R/o. At Post Walni Colony, Ward No.3, Tq. Saoner,
Dist. Nagpur.
18. Sunita Suryavanshi, Age: 42 Years, Occ: Not
Known, R/o. At Post Walni Colony, Ward No.6,
Tq. Saoner, Dist. Nagpur.
19. Noorjahan Islam Sheikh, Age: 45 Years, Occ:
Not Known, R/o. At Post Walni Colony, Ward No.4,
Tq. Saoner, Dist. Nagpur.
20. Krushna Eknath Kamble, Age: 48 Years, Occ:
Not Known, R/o. At Post Walni Colony, Ward No.4,
Tq. Saoner, Dist. Nagpur.
21. Ashwini Vinod Deshbhratar, Age: 36 Years, Occ:
Not Known, R/o. At Post Walni Colony, Ward No.4,
Tq. Saoner, Dist. Nagpur.
22. The Block Development Officer, Tah.Saoner,
Dist.Nagpur.
23. The Administrator, Grampanchayat Walni,
Office of the Village Panchayat Walni,
Tahsil Saoner, Dist. Nagpur.

RESPONDENTS

Shri S.S. Sanyal, counsel for the petitioner.
Shri N.S. Autkar, Assistant Government Pleader for the respondent nos.1 to 4, 22
and 23.
Shri V.G. Dhage, counsel for the respondent nos.7 to 17, 19 and 20.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE ON WHICH ARGUMENTS WERE HEARD : DECEMBER 15, 2025

DATE ON WHICH JUDGMENT IS PRONOUNCED : FEBRUARY 27, 2026

JUDGMENT

RULE. Rule made returnable forthwith and heard finally with
consent of the learned counsel for the parties.

2. By this petition, the petitioner has challenged the order dated 18.06.2025, passed by the respondent no.2-Additional Collector, Nagpur and the motion of no confidence dated 16.01.2025, passed against him and the resultant order dated 30.06.2025, passed by respondent No.22-Block Development Officer, Panchayat Samiti Saoner, Dist. Nagpur, directing the appointment of an administrator for conducting the affairs of Gram Panchayat Walni, Taluka Saoner, District Nagpur.

3. The controversy in the instant petition arises in the backdrop of following facts:-

The petitioner was elected as Sarpanch of Gram Panchayat Walni, Taluka Saoner, District Nagpur in the elections held in December-2023. The tenure of Gram Panchayat was for a period of five years. On 10.01.2025, the respondent nos.6 to 20 moved a requisition/notice of no confidence against the petitioner. On the basis of this notice, the respondent no.4-Naib Tahsildar, Saoner, convened a special meeting on 16.01.2025, in which thirteen members voted in favour of the motion and one member voted against the motion. At this stage, a dispute was raised by the petitioner before the Authorities and the matter was contested with two rounds of litigation upto this Court and the dispute was decided finally by order dated 18.06.2025 passed by the respondent no.2. Thereafter, a special meeting of Gram Sabha was held on 27.06.2025, at the behest of the Block Development Officer and in the said meeting of Gram Sabha, the Motion of no confidence was ratified by the Gram Sabha. The petitioner was accordingly removed from the post of Sarpanch of Gram Panchayat, Walni.

4. Feeling aggrieved by the motion of no confidence, the petitioner filed proceedings before respondent no.1-Collector, Nagpur, bearing Dispute No.41/MVP 35(3B)/2024-2025, under Section 35(3B) of the Maharashtra Village Panchayats Act, 1959 (for short, 'the Act'). By order dated 18.06.2025, the dispute filed by the petitioner came to be dismissed and the motion of no confidence against the petitioner came to be confirmed. This order is subjected to challenge by way of instant petition, which was filed on 19.06.2025.

5. As a consequence of the confirmation of the motion of no confidence against the petitioner, the Block Development Officer issued an order dated 30.06.2025 and directed appointment of an administrator to conduct the affairs of Gram Panchayat. Consequently, by way of amendment to the petition, the petitioner also raised a challenge to the order dated 30.06.2025 passed by the Block Development Officer.

6. Shri S.S. Sanyal, learned counsel for the petitioner advanced several submissions in support of the petition, which are briefly stated below:-

i. The motion of no confidence moved against the petitioner was defective since six members out of fourteen members, who had participated as members of the Gram Panchayat, were disqualified for their failure to submit the caste validity certificates within the prescribed time limit. As such, their participation in the meeting was invalid and the resultant motion of no confidence against the petitioner became illegal.

ii. The meeting of Gram Sabha held on 27.06.2025, in which the motion of no confidence was ratified, was also defective since the process

of secret ballot was not undertaken and there was discrepancy about the actual number of members, who cast their vote in the said meeting.

iii. Immediately, after the special meeting of Gram Sabha, which was held on 27.06.2025, the Block Development Officer hurriedly passed the order dated 30.06.2025 and directed appointment of an administrator, without waiting for an opportunity to the petitioner to raise challenge to the motion of no confidence.

7. As regards the disqualification of six members, who had participated in the meeting of no confidence, the learned counsel for the petitioner submitted that, for failure to submit the caste validity certificates within prescribed time limit, they were disqualified and were not entitled to participate in the meeting, in view of Section 10(1A) of the Act. He submitted that there is nothing on record to show that the caste claims of those six members were pending at the relevant time, therefore, they were not even entitled for taking advantage of the Act issued by the State Government titled as 'Maharashtra Temporary Extension of Period for Submitting Validity Certificate (for certain elections to Village Panchayats, Zilla Parishads and Panchayat Samitis) Act, 2023' (for short, 'The Extension Act'). He submitted that the participation of those six members was illegal and resultantly, after ignoring their participation, the motion of no confidence cannot be said to have been passed by 3/4th majority, as required by law.

8. While elaborating his submissions, the learned counsel for the petitioner submitted that, for failure to submit the validity certificates, six members were deemed to be disqualified automatically in view of Section

10(1A) of the Act and therefore, they were not even entitled for taking advantage of the Extension Act.

9. In support of his submissions, the learned counsel for the petitioner placed reliance on following judgments:-

- a. ***Sudhir Vilas Kalel & Others Versus Bapu Rajaram Kalel & Others*** [(2024) 2 S.C.R. 165].
- b. ***Popat Vithal Pund & Others Versus The Divisional Commissioner, Nasik Division, Nasik & Others***, [Writ Petition No.9628 of 2010], decided on 26.09.2019.
- c. ***Dilip Vinayak Jiwatode Versus State of Maharashtra & Others***, [Writ Petition No.510 of 2018], decided on 11.01.2019.
- d. ***Archana W/o Ananda Shembalwad @ Archana D/o Ramji Pillewad Versus The State of Maharashtra and Others*** [Writ Petition No.11276 of 2022], decided on 18.04.2023.

10. By highlighting the position of law laid down in the judgments of ***Popat Vithal Pund & Others***, ***Dilip Vinayak Jiwatode*** and ***Archana W/o Ananda Shembalwad @ Archana D/o Ramji Pillewad*** (supra) the learned counsel for the petitioner vehemently submitted that production of validity certificate within twelve months is a mandatory requirement and failure in that regard results into automatic disqualification. By pointing out the observations of the Hon'ble Supreme Court in ***Sudhir Vilas Kalel & Others*** (supra), he submitted that protection under the Extension Act is applicable only if valid application for caste validity certificate is pending on 10.07.2023 and the benefit cannot be given to those candidates whose application was not pending.

11. Per contra, Shri V.G. Dhage, learned counsel for the respondent nos. 7 to 17, 19 and 20, opposed the petition and vehemently submitted that the petitioner has failed to demonstrate any illegality much less perversity in the impugned order confirming motion of no confidence against the petitioner. He submitted that the petitioner had in fact lost the confidence of the members and the motion of no confidence having been passed by duly complying with all the necessary requirements, warranted no interference on any count. As regards the issue about alleged non-submission of caste validity certificates by some of the Members, he submitted that those members were not at all disqualified for failure to submit caste validity certificates. He submitted that the respondent nos. 10, 14, 15, 17 and 20 had submitted their caste validity certificates within prescribed period and he stressed that most of them had got the caste validity certificates issued by the Scrutiny Committee in the year 2023 itself i.e. prior to their elections, whereas the respondent no. 20 had received the caste validity certificate in the year 2014 itself. He, thus, submitted that these members had got their caste validity certificates even before the motion of no confidence was moved and their participation in the meeting of no confidence motion cannot be faulted.

12. By relying upon the provisions of Section 16(2) of the Act, he submitted that a Member cannot be disabled from continuing to be a Member of Gram Panchayat until the Collector determines the issue and since at no point of time, these respondents were declared to be disqualified, the objection about their entitlement to participate and vote in the meeting of no confidence is unsustainable.

13. Learned counsel Shri V.G. Dhage vehemently submitted that as a matter of fact the disqualification proceedings against the respondent nos.10, 14, 15, 17, 20 and 21 in Case Nos.61 of 2025 to 66 of 2025, filed by the petitioner herein, were disposed of by the respondent no.2 on 22.07.2025 by giving due consideration to the Maharashtra Ordinance No.III of 2025, dated 30.04.2025, holding thereby that the said members were not liable to be disqualified retrospectively under Section 10(1A) of the Act. On the basis of these contentions, he submitted that the participation of these respondents in the meeting of no confidence cannot at all be questioned and since it is passed by scrupulously following the entire procedure does not need any interference. In support of his submissions, he placed reliance on the following judgments:-

- i. *Yogini Sanjay Deshmukh Versus The State of Maharashtra & Others*, [Writ Petition No.2954 of 2024], decided on 18.03.2024.
- ii. *Suvarna Prakash Patil Versus Anil Hindurao Powar & Others*, [2004 (1) ALL MR 767].
- iii. *Archana W/o Ananda Shembalwad @ Archana D/o Ramji Pillewad Versus The State of Maharashtra & Others*, [Writ Petition No.11276 of 2022], decided on 18.04.2023.
- iv. *Nimba Rajaram Mali Versus Collector, Jalgaon & Others*, [1998 (3) Mh.L.J. 204].
- v. *Sow. Prabhawati Vijaykumar Khivsara & etc. Versus State of Maharashtra & Others*, [2008 (2) AIR Bom R 773].

14. By inviting attention to the position of law as laid down in the case of *Yogini Sanjay Deshmukh* and *Suvarna Prakash Patil* (supra), he

submitted that in absence of any orders passed by the Competent Authority disqualifying the Members on any count, they cannot be considered to be disabled. He submitted that the position of law is settled that once a notice of no confidence is passed by complying with the procedural requirements and it is established that an elected representative has lost the confidence of the Members, the same cannot be questioned on technical issues so as to nullify the effect of no confidence. By relying upon the position of law as laid down in ***Sou. Prabhawati Vijaykumar Khivsara*** (supra), he submitted that in a democratic setup, a person is expected to respect the mandate of majority and in absence of any gross illegality with the procedure of no confidence motion, mandate of majority cannot be interfered with lightly by writ court.

15. The learned Assistant Government Pleader appearing for respondent nos.1 to 4, 22 and 23 supported the impugned order and submitted that the Collector has given due consideration to all the relevant factual and legal aspects and there is no perversity in the impugned order. He supported the contentions canvassed by Shri V.G. Dhage, learned counsel for the respondent nos.7 to 17, 19 and 20.

16. Rival contentions thus fall for my consideration.

17. The crucial issue involved in the instant petition is whether some of the members of the Gram Panchayat, who are respondents herein, were disabled from participating in the meeting of no confidence and resultantly whether the no confidence motion could be said to have been invalid.

18. An issue is raised about disqualification of the respondent nos.10, 14, 15, 17, 20 and 21 on account of their failure to submit their respective caste validity certificates, in view of Section 10(1-A) of the Act. The primary contention canvassed on behalf of the petitioner is that these Members were disqualified for failure to submit their respective caste validity certificates and in support of these contentions, heavy reliance is placed on the judgment of Hon'ble Supreme Court in ***Sudhir Vilas Kalel & Others***(supra). By relying on the position of law laid down in this judgment, it is vehemently submitted that these respondents were automatically disqualified for failure to submit the caste validity certificates and could not even be protected by Section 3 of the Temporary Extension Act.

19. In order to appreciate the controversy in this regard, it is important to note the undisputed fact that these Members have received their caste validity certificates on the following dates:-

Respondent no.10	28.04.2023
Respondent no.14	11.05.2023
Respondent no.15	21.03.2023
Respondent no.17	26.05.2023
Respondent no.20	29.04.2014
Respondent no.21	31.01.2024

20. Undisputedly, the elections of the Gram Panchayat were held in December-2023. Thus, all the respondents, except the respondent no.21 had got their caste validity certificates prior to the date of election and the respondent no.21 had got his caste validity certificate on 31.01.2024 i.e.

within one month from the date of election. In this situation, the petitioner has argued that the caste validity certificates were not actually tendered by these respondents and therefore they stood disqualified. To counter this, the learned counsel for the respondents had submitted on affidavit that the caste validity certificates were already submitted by them to the Tahsil Office and again they were submitted for the second time in January/February-2025 as shown by the communications dated 21.01.2025 and 15.02.2025 addressed to the Tahsildar which are annexed as Annexure-R3 to the reply. As such, it is clear that it is not the case that these respondents were not having the caste validity certificates on the date of election and therefore the provisions of Section 10(1-A) of the Act about automatic disqualification cannot be said to have been attracted.

21. As regards the judgment of the Hon'ble Supreme Court in ***Sudhir Vilas Kalel & Others*** (supra), on the first blush, the judgment appears to be governing the controversy involved in the instant petition, however after thorough understanding of the issue, it becomes clear that the said judgment has dealt with a situation where the concerned Members were not having the caste validity certificates at the relevant time and were therefore automatically disqualified under Section 10(1-A) of the Act and further that they were not in a position to take benefit of Section 3 of the Extension Act. In the said judgment of ***Sudhir Vilas Kalel & Others*** (supra), the Hon'ble Supreme Court has considered the provisions of Section 10(1-A) of the Act and the effect of provisions of the Maharashtra Temporary Extension of period for submitting the validity Certificates Act,

while dealing with the controversy related to a no confidence motion of a Gram Panchayat Member. The relevant paragraph from the said judgment dealing with this aspect is reproduced below:-

“36. To answer this question, the object of Section 10-1A and 30- 1A of the Panchayats Act along with Sections 3 and 4 of the Temporary Extension Act, 2023 ought to be borne in mind. As has been correctly held in Anant H. Ulahalkar (supra) while reiterating the holding in Sujit Vasant Patil (supra), ordinarily, the rule is for an aspiring candidate in an election to submit the Caste Certificate and the Validity Certificate along with the nomination. However, a window of twelve months was given for those who have not obtained the Validity Certificate to furnish the same and this was held to be a “risk” that the applicants were taking. Under the Caste Certificate Act, 2000, the certificate attains finality only if it is authenticated with a Validity Certificate. That statute and scheme have been discussed herein above. From those who aspire to contest for a reserved seat and who take a risk of applying for the validity certificate by filing an application before the date of nomination, it is prudent to expect that they will show utmost due diligence in the prosecution of their application. This would mean that they are expected to do all that is within their control to do and submit with the Scrutiny Committee a valid application for their consideration. In fact, it was on the basis that applicants aspiring to contest election who do not possess a Validity Certificate, were taking a risk, that the provisions were held to be mandatory. Further and independent of the above, Mandakani Kachru Kokane (supra) which came on 27.10.2020 well before the Appellant No.1 filed his nomination clearly mandated that there was an obligation on the applicants before the Scrutiny Committee to furnish the declaration of the results within two weeks of the declaration of the results for expeditious disposal. In this case, results were announced on 21.01.2021. Under the law, as it obtained in Maharashtra, as laid down in the statute and in the judgments of the Court, there was an obligation to furnish the validity certificate on or before 20.01.2022. The Appellant No. 1 admitted in the second application filed on 14.06.2023 that inspite of possessing the declaration of the result, for some reason, he could not file the same with the

Scrutiny Committee. The consequence was that on 20.01.2022, the Appellant No.1 stood automatically disqualified as a Member with retrospective effect from the date of his election, under Section 10-1A of the Panchayats Act. On 01-03/4/2021, under Rule 17(2) and 17(3) of the Caste Certificate Rules, the applications were 'filed' for not submitting of the notification of his election. It is pertinent to note that the said order was never challenged by the Appellant No.1 and so it has attained finality."

22. In the subsequent paragraphs of this judgment, it is observed that the candidates had not taken diligent steps to secure the caste validity certificates in time to protect their membership and it is therefore observed that the candidates despite having the situation in their control to take steps for securing the validity certificates have failed to file their caste claims and therefore were unable to take benefit of Section 3 of the Extension Act. In this background, in paragraph 40 of the said judgment, the Hon'ble Supreme Court has held thus:-

"40. For the above reasons, we hold that the Appellant No.1 stood automatically disqualified as a Member since he failed to produce the Validity Certificate within 12 months from the date of his election. The protective umbrella of section 3 of the Temporary Extension Act, 2023 will not be available to Appellant No.1 since he is hit by section 3(2)(b) , for the reason that there was no valid application pending on the date of the commencement of the said Act."

23. While considering the controversy in the instant case, it is crucial to note that the concerned Members (respondent nos.10, 14, 15, 17, 20 and 21) had got their caste validity certificates prior to the election as mentioned above and most importantly in the proceedings seeking their disqualification which were initiated by the petitioner herein before the

Competent Authority, i.e. the Collector, Nagpur, the applications for disqualification were rejected and resultantly these respondents were not disqualified and were not disabled to participate in the meetings including the meeting of no confidence motion. The said order passed by the Collector was never challenged and it has attained finality.

In this background, if the contention of the learned counsel for the petitioner is considered that since the caste claims were 'not pending' on the date of election and although the caste claims were validated, they have still incurred automatic disqualification seems to be a flawed argument. Pertinent to note, the caste claims of these Members were not pending and were infact decided in their favour. It is crucial to note, after considering the purport of the provisions of Section 10(1-A) of the Act and the Extension Act, the Collector has refused to disqualify these Members which order is not challenged by the petitioner. Thus, further contention of the counsel for the petitioner that the caste validity certificates were not submitted by the candidates to the Authority concerned, cannot also be of any substance because the candidates have filed on record the affidavits to show that the caste validity certificates were submitted and they were again submitted in January-2025 as mentioned above.

24. In this background, it is difficult to conceive that the Members having the caste validity certificates in their favour should be declared to be disqualified as the Member of the Gram Panchayat. It cannot be comprehended that the candidates having caste validity certificates in their favour would intentionally not submit the same before the

Competent Authority or would wait for disqualification to take effect. There is nothing on record to show that the candidates intentionally failed to produce the caste validity certificates as alleged, on the contrary the candidates have filed documents to show that the validity certificates were produced, which are not negated by any other material. Thus, the arguments in this regard are not at all appealing.

It has also to be noted that the consequence of accepting the arguments of the petitioner would be that the candidates despite having validity certificates would be treated to be disqualified candidates which in my view is not contemplated to be the effect of the legal provisions mentioned above. In a given case, if a candidate does not at all apply for the caste validity certificate or does not have validity certificate at the time of election, the position would be otherwise. In the instant case, such is not the position and therefore the judgment of the Hon'ble Supreme Court in *Sudhir Vilas Kalel & Others* (supra) is not of any assistance to the petitioner.

25. While appreciating the controversy involved in the instant petition, it is beneficial to refer to the judgment of the Division Bench of this Court in *Vitthal Rajaram Shitole* (supra) relied upon by the counsel for the respondents in which the Division Bench has dealt with the provisions of Section 10(1-A) of the Act and the Extension Act, while dealing with the issue of no confidence motion. After considering the effect of the relevant provisions, the Division Bench has recorded its observations in paragraph 14 which is reproduced below:-

“14. It is our view that the disqualification will attach in only two circumstances in view of the Extension Act. Either the Gram Panchayat member has not even applied for a validity certificate at all, in which case the Extension Act cannot come to his or her rescue, or that application, though made, has been rejected. Every other case, and which we will call for convenience a pipeline case, is saved by the Extension Act and there is no resultant disqualification.”

26. In the light of the legal position as referred above, it has to be concluded in the instant matter that the respondents who had got the caste validity certificates in their favour cannot be treated to be disabled from participating in the meeting of no confidence and resultantly the no confidence motion which is duly passed needs to be given its effect.

27. As regards the issue about effect of a no confidence motion, which reflects the will of majority, reference can be made to the judgment of the Co-ordinate Bench of this Court in ***Sow.Prabhawati Vijaykumar Khivsara & etc.*** (supra) in which this Court has referred to the observations of the Division Bench of this Court in paragraph 20, which reads as under:-

“20. The Division Bench of this Court, in the case of Nimba Rajaram Mali v. Collector, Jalgaon and others reported in 1999(1) Bom Cr 546 : (AIR 1999 Bom 335) followed the aforesaid Judgement in the case of Smt.Annapurnabai Ajabrao v. Annapurnabai Anandrao (referred supra) and observed thus (para 13 of AIR):

“In a democratic society what is important is the will of the majority and the elected representatives must honour the will of the majority. It is immaterial to analyse and debate on the reasons behind the will of the majority or the

specific reasons for such will being expressed. The will of the majority is of paramount importance and it must be respected by all elected representatives responsible for the governance of such democratic institutions. As observed by the Apex Court in the case of Babubhai (AIR 1974 SC 2105) (supra), resolution of No confidence Motion is different from Censure Motion and such a resolution cannot be faulted on the ground that there were no reasons or reasons were vague and lacked detailed specifications. Once the resolution of No-Confidence Motion is passed by a clear majority and in keeping with the requirements of the concerned statutory provisions, the person against whom such a resolution is passed, must honour the will of the majority and make way for the new election of his successor. Unless it is shown that while passing such a resolution of No-Confidence Motion, there was flagrant violation of any of mandatory procedure laid down, such a resolution cannot be interfered with by the Court or statutory authorities adjudicating such disputes.”

28. In the light of the factual and legal aspects as referred above and after giving anxious consideration to all the contentions canvassed on behalf of the parties, I am of the firm opinion that the Members of the Gram Panchayat (the respondents referred above) were not disqualified on the date of their participation in the meeting of no confidence. The meeting of no confidence was held by following the due procedure, which was even ratified by the Gram Sabha. The challenge raised by the petitioner to the no confidence motion also failed before the Collector in the proceedings under Section 35(3-B) of the Act. The order passed by the Collector is well reasoned and does not show any perversity warranting interference of any kind.

29. Thus, on an overall consideration of the factual and legal aspects, the contentions canvassed on behalf of the petitioner are not acceptable. No indulgence is warranted with the impugned order under Article 227 of the Constitution of India. The writ petition is accordingly dismissed with no order as to costs. Rule stands discharged.

(PRAFULLA S. KHUBALKAR, J.)

APTE