

ORDER BELOW EXH.46 IN SESSIONS CASE NO. 63/2023**CNR : MHST01-001539-2023*****(State of Maharashtra Vs. Umesh Bhalerao Bhoite)***

By this application, applicant/accused no.3 Umesh Bhalerao Bhoite has requested for grant of permission to enter into the village to attend the meeting of village Panchayat, Wagholi, Tal. Koregaon, Dist. Satara on 07.12.2023, since he is the elected member of said Grampanchayat. It is contended that since he was absent continuously for more than six months in the monthly meeting of the Gram Panchayat, hence show cause notice has been issued against him. It is further contended that the monthly meeting of Gram Panchayat was to be held on 30.11.2023, but due to lack of quorum the meeting was adjourned and now it was to be held on 07/12/2023.

2] Ld. APP filed its say at Exh.49 and strongly opposed the application by contending that grounds mentioned in the application are not genuine and legal. Relatives of deceased as well as witnesses are resident of same village where applicant resides. Under such circumstances, if applicant is allowed to attend the meeting then possibility of apprehension to the lives of the relatives of the deceased cannot be ruled out. Hence, application may be rejected.

3] Heard Ld. Advocate for applicant and Ld.APP. Perused record.

4] In a democratic process, the elected member of the

Local Government has to perform his duty towards the Society. Here, in the present case, the applicant is elected member of Gram Panchayat. If he is not allowed to attend the meeting of Grampanchayat, it will not cause injustice to him alone but to the public in general and the village Panchayat not in position to take proper decision. So also, by order dated 08/09/2023 and 29/11/2023, my Ld. Predecessors have permitted the applicant/accused to attend the office of Grampanchayat Wagholi for meeting. Considering the fact that accused being the elected member of Gram Panchayat, it is necessary for him to attend the said meeting. Therefore, I pass the following order.

ORDER

- (1) Application Exh. 46 is allowed.
- (2) The accused Umesh Bhalerao Bhoite is permitted to remain present for meeting in the Office of Gram Panchayat, Wagholi, Tal. Koregaon, Dist. Satara on 07.12.2023 till the meeting is over.

Place : Satara
Date : 06.12.2023

(D.L.Nikam)
Addl. Sessions Judge,
Satara.