



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

**WRIT PETITION NO.2329 OF 2026**

SAYYAD MUNAJJAR ALI SAYYAD MUZAFFAR

*VERSUS*

THE AMRAVATI MUNICIPAL CORPORATION, THR. ITS COMMISSIONER,  
AMRAVATI AND OTHERS

<i>Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders</i>	<i>Court's or Judge's orders</i>
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Mr. Akshay Naik, Senior Advocate i/b Mr. S.Y. Rawate,  
Advocate for Petitioner.

Mr. J.B. Kasat, Advocate for Respondent Nos.1 & 2.

**CORAM : PRAFULLA S. KHUBALKAR, J.**

**DATED : 18<sup>th</sup> MARCH 2026**

1. Heard learned Senior Advocate for the petitioner.
2. The petitioner's challenge is to the order dated 16.03.2026, passed by respondent No.2 The Commissioner, Amravati Municipal Corporation, Amravati, thereby disqualifying the petitioner as Councillor of Amravati Municipal Corporation, under Section 10(f) and (g) of the Maharashtra Municipal Corporations Act, 1949.
3. By relying upon judgment of the Division Bench of this Court in the case of ***Umesh Deorao Pawale Vs. State of Maharashtra and Another, [2019 SCC Online Bom 2997]*** and judgment of Full Bench of this Court in the case of ***Tilottama W/o. Sanjay Kinkhede Vs. Municipal Commissioner, Nagpur and Others, [2021(2) Mh.L.J. 685]***, learned Senior Advocate for the petitioner submits that the impugned order passed by respondent No.2 is without jurisdiction.
4. Having regard to the controversy involved, issue notice to the respondents, returnable on 30<sup>th</sup> March 2026.

5. Advocate Mr. J.B. Kasat, on instructions, appears for respondent Nos.1 and 2 and waives service of notice on behalf of respondent Nos.1 and 2.

6. The petitioner is permitted to serve the other respondents by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

7. Advocate Mr. J.B. Kasat, opposes the contentions for grant of interim relief. However, in view of the grounds raised by the petitioner, I find that the petitioner has made out a *prima facie* case for grant of interim relief. Hence, in the meantime, there shall be ad-interim relief in terms of prayer clause 'iii', which is reproduced as under.

*“iii. Grant stay to the execution and operation of the order of disqualification of the petitioner from the post of Nominated Councilor of the Amravati Municipal Corporation, Amravati dtd. 16/03/2026 passed by The Commissioner, Amravati Municipal Corporation, Amravati, with kind consideration and in the interest of justice and fair play. ”*

8. Advocate Mr. J.B. Kasat, is directed to communicate this order to the respondents immediately.

9. An authenticated steno copy of this order be supplied to the parties.

**(PRAFULLA S. KHUBALKAR, J.)**

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