



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

WRIT PETITION NO.4112 OF 2024

(Pandit Madhukar Jadhav Vs. The Additional Commissioner, Amravati Division and others)

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

Court's or Judge's orders.

Mr. Manish Shukla, Advocate for Petitioner.
Mr. A. G. Mate, AGP for Respondent Nos.1 & 2/State.
Mr. A. V. Band, Advocate for Respondent No.4.

CORAM: N. R. BORKAR, J.

DATE: 9th DECEMBER, 2024.

This petition takes exception to the order dated 14.06.2024 passed by respondent no.1 – Additional Commissioner, Amravati Division, Amravati in Appeal No.371/2023.

2. The petitioner herein was elected as Member of Gram Panchayat, Malshelu. The respondent no.4 herein had filed an application before the respondent no.2 – Collector, Washim with a prayer that the petitioner be disqualified from continuing as a member of the Gram Panchayat in terms of Section 14(1)(J-3) of the Maharashtra Village Panchayats Act, 1959 for having committed encroachment on a government land. By order dated 26.10.2023 the respondent no.2 allowed the said application.

3. By the order impugned, the respondent no.1 has dismissed the appeal filed by the petitioner against the order

of the respondent no.2.

4. I have heard the learned counsel for the petitioner, learned counsel for the contesting respondent no.4 and the learned Assistant Government Pleader for the respondent nos.1 and 2/State.

5. The petitioner has admitted the alleged encroachment. The contentions of the petitioner is, however, that before contesting the election, he had gifted the said property to one Pralhad Rathod and he is no more in possession of the said property. As the petitioner has not disputed the fact of alleged encroachment and therefore, I am not inclined to interfere with the impugned order. The petition is dismissed.

(N. R. BORKAR, J.)