



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

WRIT PETITION NO.5746 OF 2024

(Shri Bharat Zingar Raut Vs. Divisional Commissioner, Nagpur 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. R. L. Alone, Advocate for Petitioner.
Ms. Deepali Sapkal, AGP for Respondent Nos.1 to 3/State.

CORAM: N. R. BORKAR, J.

DATE: 30th SEPTEMBER, 2024.

This petition takes exception to the order dated 5th August, 2024, passed by respondent no.1 the Divisional Commissioner, Nagpur in V.P.A. No.16(2)/144/2023-24.

2. The petitioner was elected as member of Gram Panchayat, Paharni. Alleging that petitioner has encroached upon the Government land, an application was made to respondent no.2 – the Additional Collector to disqualify the petitioner from the post of member in terms of Section 14 (1)(J-3) of the Maharashtra Village Panchayat Act, 1958. By order dated 16th January, 2024, the respondent no.2 – Additional Collector allowed the said application.

3. The petitioner had challenged the said order before respondent no.1 by filing appeal. By the order impugned, the respondent no.1 has dismissed the appeal.

4. Respondent no.2 has recorded a specific finding that petitioner has encroached upon the Government land to the extent of 5292 sq. ft.

5. The learned counsel for the petitioner submits that the said land belongs to one Shivdas Ratiram Kumre and is not the Government land. Admittedly, the said land does not belong to petitioner.

6. In that view of the matter, I am not inclined to interfere with the orders impugned. The petition is dismissed.

(N. R. BORKAR, J.)