



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 3415 OF 2024

Meena Sudhakar Patil

VERSUS

State Of Maharashtra Through Collector And Others

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- Mr. M. S. Deshmukh, Advocate for the Petitioner
- Mr. B. A. Shinde, AGP for the Respondent Nos. 1 and 2/State
- Mr. D. S. Patil, Advocate for the Respondent No. 3
- Mr. R. A. Jaiswal, Advocate for Respondent No. 4

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CORAM : R. M. JOSHI, J  
DATE : FEBRUARY 26, 2025

PER COURT :

1. This Petition takes exception the order dated 07.03.2024 passed by the Collector, Jalgaon under the provisions of Section 10(1-a) of the Maharashtra Village Panchayat Act disqualifying the Petitioner from the membership of Grampanchayat as well as from the post of Sarpanch, Sukali, Tq. Muktainagar for non submission of the caste validity certificate within time.

2. The Petition is filed only on the ground that the Petitioner was not heard before passing the said order. In this regard, learned Counsel for the

Petitioner has made reference to the Roznama recorded by the Collector, which according to him, indicates that on 21.02.2024 simplicitor adjournment was granted in view of the fact that the time for submitting the validity certificate is extended till July, 2024. It is his submission that there is absolutely no material on record to show that the Petitioner was given any opportunity of hearing.

3. After hearing learned Counsel for contesting Respondents as well as learned AGP, this Court found it appropriate to call upon the record before the Collector. Perusal of the said record does not indicate that any hearing had taken place on 21.02.2024, though there is such observations made in the impugned order.

4. Passing of order of disqualifying the Petitioner from the membership of the Grampanchayat and consequently from the post of Sarpanch is a matter of serious consequence. In the circumstances, Petitioner has every right to be heard before any such order is passed. Since the record does not indicate that the Petitioner was heard, this Court is inclined to allow

the Petition.

5. Having regard to the aforestated facts, impugned order is set aside. The proceeding is relegated back to the Collector for decision afresh.

6. Parties are directed to appear before the Collector on 03.03.2025. Collector is further directed to decide the said proceeding within a period of 15 days.

(R. M. JOSHI, J.)