



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4418 OF 2025

KANCHAN UDDHAVRAO JOGDAND
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Nitin K. Chaudhari
A.G.P. for Respondent/State : Mr. S.R. Wakale

CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.
DATE : 01.04.2025

PER COURT :

Heard the learned advocate for the petitioner.

2. The petitioner, who has been elected as a Sarpanch of respondent no. 4-Grampanchayat in January 2023 and is facing an enquiry being undertaken by respondent no. 8-Collector under Section 16 of the Maharashtra Village Panchayat Act, 1959, read with Section 7 and 36, is seeking a writ of mandamus directing the respondent-Collector to consider her representations, which in fact are the applications made by her in the pending quasi judicial proceeding. This cannot be treated as a representation but would rather be an application soliciting some order during the quasi judicial enquiry being undertaken.

3. Again, the petitioner is soliciting a direction against the respondent-Collector for passing appropriate order on her application dated 18.03.2025. This again would be a matter which is in the domain of the Collector undertaking a quasi judicial enquiry.

4. The allegations against the petitioner, seeking disqualification, are on the ground of her failure to convene monthly meetings and Gramsabha. She

claims that the report, which forms the basis for the enquiry into her alleged disqualification is tainted and soliciting a reenquiry from some different Block Development Officer.

5. Considering the fact that the request is touching the manner in which the enquiry is being conducted, there being nothing to demonstrate that there is abdication of duty, only on petitioner's alleging that her request for reenquiry is not being considered, no writ of mandamus would lie.

6. Needless to state that depending upon the final outcome of the enquiry, the petitioner would have all her remedies to challenge the decision if it goes against her resulting in her disqualification and all the issues being raised by her in the present petition can be reagitated.

7. The writ petition is disposed of.

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

mkd/-