



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

903 WRIT PETITION NO.13050 OF 2025

POOJA TANAJI MUNDHE

VERSUS

THE STATE OF MAHARASHTRA & OTHERS

...

Advocate for the petitioner : Mr.A.S.More

AGP for Respondent-State : Mr.S.K.Shirse

Advocate for Respondent no.7 : Mr.S.A.Deshmukh

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 07.11.2025

P.C. :

1] The learned counsel for the petitioner submits that the application is filed by the respondent no.7 for disqualification of the petitioner for non-conducting the Gram Sabha and monthly meetings. He further submits that the said application was dismissed by the respondent no.3 i.e. Divisional Commissioner, by the order dated 06.12.2024. Against the said order, the respondent no.7 filed appeal before the respondent no.2 Minister and by order dated 28.10.2025, the Minister has allowed the said appeal. He further submits that the impugned order passed by the Minister does not disclose, which meetings are not conducted by the petitioner. As regards charge no.2 is concerned, from the grant of MLA for the purpose of Sabha

Mandap, agenda was taken on 04.02.2023 and the said charge relates to taking up a cause in the meeting without sufficient notice and taking policy decision without prior notice. He further submits that resolution as regards Sabha Mandap was subsequently cancelled by resolution dated 28th April, 2023. He further submits that there is no loss cause to the Grampanchayat and the Divisional Commissioner has passed the order in favour of the petitioner. He further submits that the impugned order passed by the Minister is illegal.

2] Considering the submissions, issue notice to the respondents, returnable on 05.12.2025. The learned AGP waives notice for respondent-State and State Authorities. Mr.S.A.Deshmukh, learned counsel waives notice for respondent no.7.

3] Considering the submission and perusal of record, prima facie the order of the Minister reversing the order of the Divisional Commissioner is erroneous as the misconduct alleged is not such that an elected member can be disqualified more so when the alleged resolution dated 04.02.2023 was recalled and there is no loss caused to the panchayat. Thus, until next date, there shall be ad-interim stay to the impugned judgment and order dated 28.10.2025 passed by the Hon'ble Minister, Rural Development Department, Mantralaya, Mumbai.

4] Call R & P.

[ARUN R. PEDNEKER]
JUDGE

DDC