



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

11 WRIT PETITION NO. 13340 OF 2025

BHASKAR GOVIND LOHAKARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for the Petitioner : Mr. M.P. Kale h/f. Mr. Muley Atul R.
AGP for Respondents 1 & 2 : Mr. D.R. Korde

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CORAM : ARUN R. PEDNEKER, J.
Dated : November 10, 2025

PER COURT :-

1. Heard the learned counsel for the petitioner.
2. The petitioner challenges the order dated 9.10.2025 passed by the Collector, Ahilyanagar in Gram Panchayt Dispute No. 7/2025, disqualifying the petitioner as Sarpanch as well as Member of the village panchayat under sections 7 and 36 of the Maharashtra Gram Panchayat Act.
3. The learned counsel for the petitioner submits that section 7 provides for disqualification of the Sarpanch for non holding of the Gram Sabha and monthly meeting. Section 7 provides that the Sarpanch shall be disqualified for continuing as Sarpanch/Up Sarpanch as the case may be for continuing as Sarpanch for the remainder term of the office of the member of the Gram Panchayat and the petitioner cannot be disqualified as member of the Village Panchayat for violation of section 7 of the Maharashtra Village Panchayat Act. The learned counsel submits that prima facie the order of the Collector on this aspect disqualifying the petitioner as Sarpanch as well as member of the village panchayat is erranous and beyond the powers conferred under sections 7 and 36. The learned counsel

submits that the impugned order made that the meetings are conducted, however, that same are not conducted in terms of section 7 i.e. the meetings are not deferred for want of quorum. The learned counsel submits that the violation of meeting rules was not sufficient to disqualify the petitioner under section 7 of Maharashtra Village Panchayat Act.

4. Considering the submissions of the petitioner and having perused the order, it appears that the petitioner is disqualified as Sarpanch as well as member of the village panchayat which is beyond the powers conferred upon the Collector. The impugned order holds that there is violation of the meeting rules, but prima facie that may not be sufficient to disqualify the petitioner.

5. Considering this aspect of the matter, issue notice to the respondents, returnable on 8.12.2025. The learned AGP waives service of notice for respondent Nos. 1 and 2.

6. Till the next date, ad-interim relief is granted in terms of prayer clause 'B'.

(ARUN R. PEDNEKER, J.)

ssc/