

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11285 OF 2025

Popat Keshav Jadhav

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

Mr. Gurubala Birajdar for the Petitioner.
Ms. Neha Bhide, G.P. for the Respondent-State.

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : 18th September 2025.

P. C. :

1. Heard Mr. Birajdar, learned counsel for the Petitioner and Ms. Bhide, learned G.P. for the Respondent-State.
2. Learned G.P. opposed the Petition and submitted that, the Petitioner's remedy is to approach the Hon'ble Minister and to press the Application for stay.
3. The Petitioner is elected as Sarpanch. By Order dated 5th August 2025, the Divisional Commissioner, Pune Division, Pune, has removed the

Petitioner from the post of Sarpanch and Member of the Grampanchayat, Yenki, Taluka Mohol, District Solapur, for the remainder of the term.

4. The Petitioner has filed statutory appeal before the Respondent No.1, under Section 39 of the Maharashtra Village Panchayats Act. Along with the Appeal, the Petitioner has filed an Application for stay. It is submitted that the Application for stay is not heard and now the Respondents are likely to hold elections for the post of Sarpanch immediately.

5. In our opinion, the present Petition can be disposed off by directing the Respondent No.1 to decide the Application for stay expeditiously on its own merits within a period of two weeks from 22nd September 2025. The Petitioner to remain present before the Respondent No.1 on 22nd September 2025. A copy of this Order be served by the Petitioner upon the Respondent No.1. If possible, the Appeal be decided expeditiously.

6. Learned counsel for the Petitioner placed on record a copy of e-mail indicating that the Respondent No.4-Up-Sarpanch has been served.

7. We have gone through the impugned Order and the reasons recorded. We refrain from making any observations on the validity of the order. Suffice it to observe that as the Application for stay is still pending with the Respondent No.1, the Petitioner needs to be protected for a period of two weeks from 22nd September 2025. The post of Sarpanch not

to be filled for a period of two weeks from 22nd September 2025.

8. Petition is disposed off in the aforesaid terms.
9. All contentions of both the parties are kept open.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik, J.]

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