

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11645 OF 2025**

Sunita Adinath ChougulePetitioner

Vs.

Hidayat Ahemad Nadaf & Ors.Respondents

Mr. Manoj Patil i/b Mr. Shubham Dhenge, for the Petitioner.
Mr. Sanjay D. Rayrikar, AGP for Respondent-State.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 17th December 2025

PC.:-

1. The Petitioner impugns Judgment and Order dated 6th November 2024 passed by Additional Divisional Commissioner, Pune in Appeal No.9 of 2022 thereby upholding Judgment and Order dated 29rd March 2022 passed by District Collector, Kolhapur in Dispute Application No.51 of 2021, by which Petitioner has been disqualified from the post of Member of Udgaon Grampanchayat for term and tenure of 2020-2025 under Section 14(1)(g) of Maharashtra Village Panchayat Act, 1958.

2. The Respondent No.1 filed compliant in the form of Dispute Application No.51 of 2021, before District Collector, Kolhapur alleging that son of Petitioner has supplied plumbing material from

2019 to 2022 under order of Grampanchayat as such, Petitioner incurred a disqualification under Section (14)(1)(g) of Maharashtra Village Panchayat Act, 1958.

3. The District Collector, after considering rival contentions and hearing parties, allowed dispute. Aggrieved Petitioner preferred an appeal before Divisional Commissioner, who upheld order of disqualification. Hence, present Writ Petition.

4. Mr. Manoj Patil, learned advocate appearing for Petitioner, submits that there is no allegation that Petitioner herself was engaged in any contract with Village Panchayat or had any personal interest in works executed under orders of the Panchayat. The procurement of certain materials during COVID-19 period exclusively from shop of Petitioner's son would not attract disqualification as contemplated under sub-clause (g) of Section 14(1) of Maharashtra Village Panchayats Act, 1958. Although notice of this Writ Petition was issued to Respondents indicating that matter would be heard finally at the stage of admission, none appeared for Respondent No. 1/Complainant.

5. The perusal of impugned orders shows that District Collector

was of opinion that son of Petitioner, namely Amar Adinath Chougule, runs a business in the name of Sanmati Traders. He supplied plumbing materials to Grampanchayat during period 2019–2020 and received payments towards supply of such materials. Accordingly, Petitioner incurred disqualified under Section 14(1)(g) of the Maharashtra Village Panchayats Act, 1958.

6. The reasoning adopted by District Collector no where shows that Village Panchayat had entered into a contract for supply of material. The documents filed on record on behalf of Petitioner shows that it was only a request letter given by Panchayat to Sanmati Traders for supply of plumbing material, accordingly during Covid-19 period, material was procured from that firm. Further there is no evidence to indicate that Petitioner had direct or indirect interest in the business of Sanmati Traders, which is sole proprietor firm of Petitioner's son.

7. The Divisional Commissioner has also concurred with finding of District Collector without looking to object and scope of disqualification under clause (g) of Section 14(1) of Maharashtra Village Panahcyat Act, 1958.

8. In that view of matter, impugned orders cannot be sustained in law, in result Writ Petition is **allowed** in terms of prayer clause (b).

(S. G. CHAPALGAONKAR, J.)