

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.12478 OF 2025

Vinod Ramesh Chavan

Age: 44 Years Occ: Agriculture R/o: A/p.
Fatatewadi, Hotgi Station, Tal. South
Solapur, Dist. Solapur.

... Petitioner

V/s.

1. The State of Maharashtra, Through its
Principal Secretary, Rural Development
and Panchayat Raj Department
Mantralaya, Mumbai-32.

2. The Divisional Commissioner, Pune
Division, Pune, Council Hall, Camp,
Pune, 411001.

3. The Chief Executive Officer, Zilla
Parishad, Solapur, Siddheshwar peth,
solapur, 413003.

4. Block Development Officer, Panchayat
Samiti, South Solapur, Dist. Solapur.

5. The Gram Panchayat, Through Village
Development Officer, Fatatewadi-
4132115.

6. Harishchandra Kannu Rathod, Age:
34 years, Occ: Sarpanch R/o: A/p.
Fatatewadi, Hotgi Station, Tal. South
Solapur, Dist. Solapur.

7. Rajendra Vitthal Jadhav, Age: 55
years, Occu: Upsarpanch, R/o: A/p.
Fatatewadi, Hotgi Station, Tal. South
Solapur, Dist. Solapur.

... Respondents

Mr. S. B. Talekar a/w. Saurabh Veer i/b. Talekar 7 Associates,
Advocate for Petitioner.

Mr. Sanjay Rayrikar, AGP for State-Respondent.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : DECEMBER 12, 2025

FINAL ORDER :

1. Present Petition takes exception to order dated 22nd September 2025 passed by Hon'ble Minister of Rural Development thereby granting stay to execution and implementation of order dated 30th July 2025 passed by Divisional Commissioner, Pune Under Section 39 (3) of Maharashtra Village Panchayats Act, 1959 directing removal of respondent nos. 6 and 7 from posts of Sarpanch and Up-sarpanch of Grampanchayat Fatatewadi, Hotgi Station, Distirct Solapur.

2. Petitioner made representation by way of complaint seeking inquiry into irregularities, embezzlement and corrupt practices by office bearers of Gram Panchayat. On 10th February 2025, a five-member committee constituted by Chief Executive Officer submitted its report before Divisional Commissioner. Eventually, Divisional Commissioner passed an order directing removal of respondent nos. 6 and 7 from their respective offices. Respondent

nos. 6 and 7 assailed aforesaid order by filing revision application before Hon'ble Minister. Revision was posted for hearing on 22nd September 2025. Hon'ble Minister, without issuing notice or hearing petitioner/caveator, stayed order dated 30th July 2025 passed by Divisional Commissioner. Petitioner thereafter approached Hon'ble Minister and filed application seeking vacation of interim relief. However, till date no orders have been passed. In this backdrop, present petition is filed.

3. Mr. S. B. Talekar, learned Advocate appearing for petitioner, submits that revision filed by respondent nos. 6 and 7 is kept pending for political reasons. Interim relief has been granted without hearing petitioner despite caveat. He submits that Gram Panchayat Fatatewadi has received funds from National Thermal Power Corporation Project and respondent nos. 6 and 7 are likely to commit financial irregularities causing loss to Gram Panchayat. He therefore urges that impugned order be quashed and set aside.

4. Mr. Sanjay Rayrikar, learned AGP appearing for respondents, supports impugned order. He submits that Hon'ble Minister has rightly stayed order passed by Divisional Commissioner and brief reasons are recorded in impugned order.

5. Having considered submissions advanced by learned Advocates appearing for respective parties, writ petition can be disposed of by passing innocuous order as under:

(i) Hon'ble Minister is requested to decide appeal no. व्ही. पी. एम—१२५/प्र.क्र. १४२/ पं. रा. ६ within a period of four weeks from date of this order, in terms of mandate under sub-rule (3) of Section 39 of Maharashtra Village Panchayat Act. In case of failure to decide appeal within stipulated period, order of removal of respondent nos. 6 and 7 passed by Divisional Commissioner, Pune shall come into operation and impugned order dated 22nd September 2025 passed by Hon'ble Minister shall render ineffective.

(ii) Pending hearing and final disposal of appeal, respondent nos. 6 and 7 shall not take any policy decision and, in particular, shall not deal with financial matters of Gram Panchayat.

6. Writ Petition stands disposed of in aforesaid terms.

(S. G. CHAPALGAONKAR, J.)