

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13085 OF 2025**

Arun Yashwant More,
Age: 32 Years, Occupation : Agriculture,
R/o. A/p. Washi, Taluka: Karvir,
District : Kolhapur.

.....Petitioner

Vs.

1. The Additional Commissioner,
Pune Division, Pune,
Having office at Vidhan Bhavan,
Pune – 411 001.
2. The District Collector,
Kolhapur,
Having office at Collectorate of
Kolhapur, Swarjya Bhavan,
Assembly Road, Nagala Park,
Kolhapur.
3. Sandip Baliram Patil,
Age: 42 Years, Occu.: Agriculture,
R/o. A/p. Washi, Taluka: Karvir,
District : Kolhapur.
4. Grampanchayat Washi,
Taluka: Karvir, District: Kolhapur.
Through Gramsevak.

.....Respondents

Mr. Prashant Bhavake, for the Petitioner.
Mr. Sanjay D. Rayrikar, AGP, for the Respondents-State.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 22nd DECEMBER 2025

JUDGMENT :-

1. The present Writ Petition takes exception to order dated 3rd December 2025 passed by Divisional Commissioner in Grampanchayat Appeal No.48 of 2025, thereby upholding order dated 3rd April 2025 passed by District Collector, Kolhapur in Dispute Application No.2 of 2024, whereby Petitioner has been disqualified under Section 14(1)(J-3) of Maharashtra Village Panchayat Act, 1959.

2. In year 2023, Petitioner was elected as Member of Grampanchayat, Washi, Taluka Karvir, District Kolhapur. Respondent No.3 filed Dispute Application No.2 of 2024 before District Collector, Kolhapur seeking disqualification of Petitioner on ground that father of Petitioner has encroached upon government land and constructed House No.602. Petitioner and his family members are residing in said house, as such, he incurred disqualification.

3. Petitioner replied allegations in dispute contending that property was entered in name of Petitioner's father as a owner in Assessment Register since 1982. He was paying taxes to Village Panchayat. In year 2000-2001, in column of ownership, name of

Maharashtra State has been incorporated and name of Petitioner's father has been shown as 'Occupier'. The Petitioner's father was unaware about aforesaid change.

4. The District Collector, Kolhapur after considering rival contentions observed that since 2001 to 2025, owner of City Survey No.203 is shown as 'Maharashtra State'. The name of Petitioner's father is shown as 'Occupant'. The Petitioner's father has filed Regular Civil Suit No.23 of 2025 seeking declaration of ownership. The said suit is still pending. Similarly, District Collector relied upon record of Deputy Superintendent of Land Records, Karvir particularly measurement report dated 15th July 2024, which depicts that construction raised by Petitioner's father is part of City Survey No.203.

5. The aforesaid findings of District Collector has been confirmed by learned Divisional Commissioner in order dated 3rd December 2025. Petitioner could not demonstrate title of his father over suit property, although he is residing alongwith his family members in RCC construction raised over land in question. Only because in Village Panchayat record, name of Petitioner's father was shown in

ownership column sometimes in year 1987-1990, Petitioner's claim regarding ownership of property cannot be accepted, in absence of supporting material depicting semblance of rights or title in property. Petitioner seeks to claim title in absence of even *prima facie* material. The stray mutation entry in Village Panchayat Tax Register in ownership column can never be taken as evidence of title. It is for fiscal purpose only.

6. In that view of matter, this Court do not find any reason to interfere in concurrent findings of facts recorded by Authorities on correct appreciation of evidence on record.

7. In result, Writ Petition stands dismissed.

(S. G. CHAPALGAONKAR, J.)

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