

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4441 OF 2025

ATUL
GANESH
KULKARNI

Digitally signed by
ATUL GANESH
KULKARNI
Date: 2025.04.07
14:16:50 +0530

Rupali Prashant Lohar

... Petitioner

V/s.

Siddharam Revansiddha Birajdar
& Ors.

... Respondents

Mr. Surel S. Shah, Senior Advocate i/by Anand
Vadgaonkar for the petitioner.

Mr. Suhas S. Inamdar for respondent No.1.

Ms. Snehal S. Jadhav, AGP for respondent Nos.2 to 7-
State.

CORAM : AMIT BORKAR, J.

DATED : APRIL 7, 2025

P.C.:

1. Arguable questions are raised. Hence, **rule**.
2. Mr. Inamdar, learned Advocates waives notice on behalf of respondent No.1.
3. Prima facie, it appears that failure to obey directions of Block Development Officer to disburse within two days has primarily been construed to be a misconduct under Section 39 of the Act. On perusal of the record, no material is on record which indicates persistent refusal to follow the order. Save and except one incident, no other incident forms basis of action of removal.

Removal of elected Sarpanch being drastic order, something more than mere failure to comply with the order is necessary. Hence, the petitioner has made out a case for grant of interim relief.

4. Until further orders, there shall be interim relief in terms of prayer clause (c).

(AMIT BORKAR, J.)