

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7054 OF 2025**

Jadhavwadi Gram Panchayat, Jadhavwadi
Through its Sarpanch Smt. Nita Rahul Jadhav ... Petitioner
vs.
The State of Maharashtra,
Through Rural Development Department & ors. ... Respondents

Mr. Dinesh Bhosale for petitioner.
Mr. P. V. Nelson Rajan, AGP for respondent No.1-State.
Mr. Gurubala Birajdar for respondent No.5.

**CORAM : MANISH PITALE, J.
DATE : 10th JUNE, 2025**

P.C. :

. Heard learned counsel for the petitioner.

2. The petitioner is a *Gram Panchayat*, which is aggrieved by an order dated 27.01.2025/03.02.2025 passed by respondent No.2-Chief Executive Officer of Solapur *Zilla Parishad*. By the said order, an order dated 05.08.2024 passed by respondent No.3-Block Development Officer, has been set aside and appointment of respondent No.5 as temporary/seasonal peon, has been held to be valid.

3. The learned counsel for the petitioner invited attention of this Court to the order of respondent No.3-Block Development Officer as well as the order passed by respondent No.2-Chief Executive Officer, to impress upon this Court that the well-reasoned order of the Block Development Officer, has been set aside by a cryptic order of the Chief Executive Officer. It is submitted that the impugned order does

not take into consideration any of the aspects, upon which the Block Development Officer deliberated and the documents have not been appreciated in the correct perspective. On this basis, the petitioner is pressing for ad-interim relief.

4. This Court has considered the contentions raised on behalf of the petitioner, in the light of the order passed by respondent No.3-Block Development Officer and the impugned order passed by respondent No.2-Chief Executive Officer.

5. A perusal of the order passed by respondent No.3-Block Development Officer shows that findings of fact were rendered on the aspect of interpolation of resolution of *Gram Panchayat*, for which respondent No.4-*Gram Sevak* was found to be responsible. These findings of fact became the basis for respondent No.3-Block Development Officer to hold that subsequent resolution of the *Gram Panchayat*, removing respondent No.5 from the post of Peon, was valid.

6. Such detailed findings on facts, based on consideration of relevant documents on record, appear to have been set aside by respondent No.2-Chief Executive Officer by passing a cryptic order and in the absence of detailed reasoning, which indicates strong *prima facie* case in favour of petitioner-*Gram Panchayat*.

7. In view of the above, issue notice, returnable on 25.07.2025, High on Board.

8. Mr. Nelson, learned AGP waives notice on behalf of respondent No.1-State.

9. Mr. Birajdar waives notice on behalf of respondent No.5.
10. The petitioner shall additionally serve respondent Nos.2 to 4 by way of private service and file an affidavit of service within four weeks from today.
11. Respondents may file their reply affidavits within four weeks. Rejoinder affidavit, if any, be filed within two weeks thereafter.
12. In the meanwhile, there shall be ad-interim stay in terms of prayer clause '(c)'.

(MANISH PITALE, J)

Priya Kambli