



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10839 OF 2025

Santosh Soma Jadhav & Ors.

... Petitioners

Vs.

The State of Maharashtra & Ors.

... Respondents

Mr. Rakesh Bhatkar a/w. Mr. Aarya V. Ambulkar for the petitioners.

Ms. Priyanka Chavan, AGP for respondent no. 1.

CORAM: G. S. KULKARNI &
ARIF S. DOCTOR, JJ.

DATED: 6 AUGUST, 2025

P.C.

1. The Deputy Sarpanch and another members of the Gram Panchayat Nive Khurd, Taluka Sangameshwar, District Ratnagiri are the petitioners in this petition. The contention as urged by the petitioners is to the effect that the construction of the new Grampanchayat office, being proposed to be constructed in terms of the impugned communication dated 15 July 2025 is not on the appropriate site, considering the convenience of the residents of the Grampanchayat area. The contention is also that a decision was taken to undertake construction under the Jan Suvidha Yojana at the existing site where the Grampanchayat office was presently located, is not an appropriate decision.

2. From the impugned communication it appears that this decision was taken sometime in March 2024. Tenders as also the work order were issued and it is for such reason that the Chief Executive Officer of the Zilla Parishad has informed Mr. Shekhar Nikam, Member of the Legislative Assembly, Chiplun

Sangameshwar that now site cannot be changed. It is on such backdrop, the present petition is filed praying for the following substantive reliefs:

“a) That this Hon’ble Court may be pleased to issue writ of Mandamus or any other writ in the nature thereby to quash and set aside the order dated 15/07/2025 passed by respondent no. 2 annexed to the petition at Exhibit I regarding construction of the Gram Panchayat Nive Khurd office Building at Nive Khurd, Sangameshwar, Tal. Deorukh and District Ratnagiri.

b) That this Hon’ble Court may be pleased to issue writ of mandamus or any other writ in the nature thereby directing respondent no. 2 to grant sanction for construction of Gram Panchayat Nive Khurd office building at Parabwadi (Ward No. 2) Nive Khurd, Sangameshwar, Tal. Deorukh and District Ratnagiri based on resolution dated 30/08/2024 passed in Gramsabha of the Grampanchayat.

c) That this Hon’ble Court may be pleased to issue writ of Mandamus or any other writ in the nature thereby issue direction to respondent nos. 2 and 3 to decide and consider the application/proposal dated 13/06/2025 filed by the petitioners regarding construction of Gram Panchayat Nive Khurd Office Building at Parabwadi, (Ward No. 2) Nive Khurd, Sangameshwar, Tal. Deorukh and District Ratnagiri.”

3. Mr. Bhatkar, learned counsel for the petitioners has drawn our attention to the relevant documents on record as also a resolution, which according to him, was passed on 30 August 2024 by the Gram Sabha that the existing site for construction of the new building of the Grampanchayat office is not suitable for the residents of the village. He has also drawn our attention to the fact that in this context, representations dated 16 June 2025, 18 June 2025 were already made to the Block Development Officer as also on 2 July 2025 to the Chief Executive Officer.

4. In our opinion, considering the facts of the case, it is appropriate that all these representations be put up by the Block Development Officer before the

Chief Executive Officer and the same be decided, after granting an opportunity of hearing to the petitioner. Let the decision in that regard be taken in accordance with law within 15 days from the date of this order being presented before the Chief Executive Officer of the Zilla Parishad, Ratnagiri. All contentions of the parties in that regard are expressly kept open.

5. Learned AGP shall forward this order to the Block Development Officer, who shall place all the representations before the Chief Executive Officer. Let all the necessary parties including the Sarpanch as also the view of the Block Development Officer be taken into consideration in deciding the said representations.

6. Writ Petition stands disposed of in the aforesaid terms. No costs.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI , J.)