



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition (WP) No. 5379 of 2025

Gautam Shriram Kamble and others

Versus

The State of Maharashtra through its Secretary, Rural Development and
Panchayati Raj Department, Mantralaya, Mumbai 32 and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.W.Sambre, Advocate for the petitioner.

Ms. S.N.Thakur, AGP for the respondent nos. 1 and
2/State.

Shri A.V.Band, Advocate for the respondent no.4.

CORAM : NIVEDITA P. MEHTA, J.

DATED : 1st OCTOBER, 2025.

By way of the present petition, the
petitioners have assailed the order dated 22.08.2025
passed by respondent no.1, primarily on the ground that
the said order has been passed without affording any
opportunity of hearing to the petitioners.

2. This Court, vide order dated 16.09.2025,
while issuing notice to the respondents, granted interim

relief staying the effect and operation of the impugned order dated 22.08.2025.

3. After receipt of notice, Shri Band, learned counsel appearing on behalf of respondent no.4, filed an application seeking vacation of the interim order dated 16.09.2025.

4. Shri Band, learned counsel for respondent no.4, submitted that pursuant to the interim relief granted by this Court, respondent no.4 has been removed from his position. In his place, Shri Mangesh Pandhare, Agricultural Officer, Panchayat Samiti, Nagpur, has been appointed as Administrator by the Block Development Officer, Panchayat Samiti, Nagpur, vide order dated 30.09.2025. It is contended that, as a result, respondent no.4 has been deprived of his statutory rights. It is further submitted that the allegations levelled by the petitioner are false and are actuated by personal vendetta. Additionally, it is submitted that the Divisional Commissioner proceeded

in the matter without issuing any notice to respondent no.4, thereby violating the principles of natural justice. It is also contended that the procedure prescribed under Section 39 of the Maharashtra Village Panchayats Act, 1959, has not been duly followed. In light of these submissions, it is prayed that the interim order dated 16.09.2025 be vacated.

5. Per contra, Shri Sambre, learned counsel appearing on behalf of the petitioners, and Ms. Thakur, learned Assistant Government Pleader, submitted that the matter is presently under consideration before the Hon'ble Minister, Rural Development and Panchayat Raj, State of Maharashtra. It is submitted that, in the circumstances, it would be appropriate to allow the Hon'ble Minister to adjudicate the matter on its own merits, in accordance with law.

6. In light of the submissions advanced by the respective learned counsel for the parties, this Court is of the considered view that it would be appropriate to

direct the parties to maintain *status quo* until further orders. The Hon'ble Minister, Rural Development and Panchayat Raj, State of Maharashtra, is requested to decide the pending stay application expeditiously, after affording an opportunity of hearing to all concerned parties. The said application shall be decided on its own merits, in accordance with law, within a period of fifteen (15) days from the date of appearance of the parties before the Hon'ble Minister.

7. The parties are directed to appear before the Hon'ble Minister, Rural Development and Panchayat Raj, State of Maharashtra, on 8th October, 2025 at 11:00 a.m.

In view of the above, the writ petition stands disposed of.

[NIVEDITA P. MEHTA, J.]