



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 6216 OF 2024

(Dashrathsingh s/o Narayansingh Rajput Vs. The Collector, Buldhana and ors)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Mahesh Rai, Advocate for petitioner,
Mr. S.M. Ukey, Addl. GP for respondent No. 1,
Mr. G.M. Reve, Advocate for respondent Nos. 2 and 3.
Mr. A.J. Thakkar, Advocate for respondent No. 5.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATED : 20-03-2025

The provisions of Sec. 33 (1) of the Maharashtra Village Panchayat Act statutorily cast a duty upon the Collector to hold meeting for election for the post of Sarpanch and Upsarpanch in the manner as indicated therein. In the instant matter, the notice of meeting dtd. 11.10.2024 (p 19) for holding the election of Upsarpanch, has been issued by the Sarpanch, which is in violation of the mandate of Sec. 33(1) of the Maharashtra Village Panchayat Act. That being the position, the same cannot be sustained and is hereby quashed and set aside. The petition is allowed, in the above terms. Needless to say that any action of holding the election to the post of Upsarpanch shall be strictly in accordance with the provisions of Sec. 33 of the Maharashtra Village Panchayat Act and not otherwise.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)