



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

WRIT PETITION NO. 6550 OF 2024

(Sau Ashwini Uddhav Karale and ors Vs. State of Maharashtra 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. A.A. Zade, Advocate for petitioners.

Mr. A.M. Kadukar, AGP for respondent Nos.1 to 3 /State.

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

DATED : 12-02-2025

The only grievance raised is that the Tahsildar who was delegated powers by the Sub Divisional Officer (SDO) to conduct the meeting for election of Sarpanch of Gram Panchayat Khairkheda, by the communication dtd 22.10.2024 (p25), has by the impugned communication dtd 25.10.2024 (p26), sub-delegated the power to the circle officer. It is contended that such sub-delegation is not permissible.

2. The language of Sec. 33(2), of the Maharashtra Village Panchayat Act permits delegation of power by the Collector to any officer. However, it does not provide any further delegation by such officer, in view of which the impugned communication dated 25.10.2024, cannot be sustained. The same is quashed and set aside and the respondent No. 3 is directed to hold the meeting for election of Sarpanch. The petition is accordingly allowed in above terms. No costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)