



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

Writ Petition No.8350/2025

Nileema and another V State of Maharashtra and others

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

Court's or Judge's orders

Mr. Alok Daga, Advocate for petitioners.
Ms Bawankule, AGP for resp. nos.1 and 2.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 23-12-2025.

Heard Mr. Daga, learned Counsel for the petitioners.

2. By this petition, the petitioners have challenged order dated 04-12-2025 passed by respondent no.2-Divisional Commissioner, Amravati under Section 39(1) of the Maharashtra Village Panchayats Act (for short, 'the said Act').

3. Learned Counsel for the petitioners submits that the petitioners have already filed an appeal under Section 39(3) of the Act before respondent no.1/Hon'ble Minister. However, the appeal was not taken up for hearing on the pretext of Code of Conduct being in force. It is also submitted that the petitioners are holding the posts of Sarpanch and Up-Sarpanch as on today and desire to prosecute their appeal before respondent no.1.

4. Having regard to the fact that the petitioners have already filed their appeal under Section 39(3) of the Act before the respondent no.1, it is appropriate to direct respondent no.1 to take up the appeal and the application for stay filed by the petitioners for hearing at the earliest. Accordingly, writ petition is disposed of with direction to the petitioners to appear before respondent no.1 within 10 days and respondent no.1 is

directed to consider the application for stay filed by the petitioner in his appeal dated 19-12-2025.

5. It is directed that the petitioners may not be removed from the said posts till the decision on the application for stay.

6. Writ petition is accordingly disposed of. No order as to costs.

(Prafulla S. Khubalkar, J.)