



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

WRIT PETITION NO. 2636 OF 2024

Rupesh Sahadeo Wanve, Aged about 35 years, Occ: Business,
R/o Shioni (Bhondki), Tah. Ramtek, Dist. Nagpur.

PETITIONER

VERSUS

1. The Additional Collector, Nagpur,
Collector Office Compound, Civil Lines, Nagpur.
2. Bhojraj Namdeo Dhuvadhappar,
Aged about 45 years, Occ: Up-Sarpanch.
3. Vijay Gulab Bhure,
Aged about 45 years, Occ: Sarpanch.
4. Chandrakala Ramesh Thote,
Aged about 50 years, Occ: Member.
5. Nilima shrawan Aahake,
Aged about 35 years, Occ: Member.

Nos.2 to 5 are R/o Kirnapur, Gram Panchayat Shioni
(Bhondki), Tah. Ramtek, Dist. Nagpur.

6. Pooja Ashwin Thakre,
Aged about 25 years, Occ. Member.
7. Gopal Jagan Golange,
Aged about 30 years, Occ. Member.

Nos.6 and 7 are R/o Gram Panchayat Shioni (Bhondki),
Tah. Ramtek, Dist. Nagpur.

8. The Tahasildar, Ramtek, Tahsil Compound,
Ramtek, Dist. Nagpur.
9. The Gat Gram Panchayat, Shioni (Bhondki),
Gat Gram Panchayat Office, Shioni (Bhondki),
Tah. Ramtek, Dist. Nagpur.

RESPONDENTS

Shri Bhojraj Dhandale, Counsel for the petitioner.
Shri N.S. Autkar, Assistant Government Pleader for the respondent nos.1 and 8.
Shri T.J. Patil and Shri S.S. Ansari, counsel for the respondent nos.2 to 7.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : SEPTEMBER 18, 2025

ORAL JUDGMENT

RULE. Rule made returnable forthwith. Heard finally by consent
of the learned counsel for the parties.

2. The petitioner takes an exception to the order dated 29.01.2024 passed by the respondent no.1-Additional Collector, Nagpur whereby his application seeking disqualification of the respondent nos.2 to 7 as Members of the Gram Panchayat came to be rejected.

3. The elections of Gram Panchayat Shioni (Bhondki) were conducted in the year 2021 and the respondent nos.2 to 7 alongwith others came to be elected as Members of the said Gram Panchayat. The petitioner herein claiming to be a voter, filed an application before the respondent no.1 thereby praying for disqualification of the respondent nos.2 to 7 for failure to submit account of election expenses within the time stipulated. It is claimed that the respondent nos.2 to 7 incurred disqualification on the said count under Section 14(B) of the Maharashtra Village Panchayats Act, 1959 (for short, 'the Act of 1959').

The proceedings were contested by the respondent nos.2 to 7 and they pointed out that the accounts of election expenses were submitted by them within the stipulated time to the Office of the Gram Panchayat which in turn submitted the same to the respondent no.1, which was the concerned Authority. After considering the submissions of both the parties, the respondent no.1 passed the order rejecting the application filed by the petitioner. The petitioner has challenged this order by this petition.

4. The counsel for the petitioner vehemently submitted that the impugned order does not take into consideration the fact that the accounts of election expenses were not submitted to the concerned Authority within the time stipulated, but has wrongly given importance to the fact of submission of the accounts of election expenses, although within the time, to the Gram Panchayat itself. He submitted that since the accounts of the election

expenses were not submitted to the respondent no.1 within the time, the respondent nos.2 to 7 ought to have been declared as disqualified.

5. Opposing the writ petition, the counsel for the respondent nos.2 to 7 and learned Assistant Government Pleader for the respondent nos.1 and 8 vehemently submitted that the election expenses were submitted within the time of one month from the date of election initially i.e. on 10.02.2021 which were in turn submitted to the Competent Authority on 11.07.2022. They submitted that the respondent nos.2 to 7 have given sufficient reasons and justification and the same was found convincing and acceptable to the respondent no.1. It is submitted that no perversity is pointed out with the impugned order.

6. It has to be noted that the respondent nos.2 to 7 have infact submitted the accounts of the election expenses on 10.02.2021 within the time stipulated to the Office of the Gram Panchayat and thus there is compliance on the part of the respondent nos.2 to 7 to submit the accounts of the election expenses within the time stipulated. Even if the accounts of the election expenses were finally received by the Office of the respondent no.1 beyond the time, it is crucial to note that the respondent no.1 has accepted the justification and passed the impugned order. It is nobody's case that the accounts of the election expenses which were submitted before the Gram Panchayat varied with the one submitted before the respondent no.1 and as such compliance under Section 14(B) of the Act of 1959 on the part of the respondent nos.2 to 7 can be inferred. As such, in view of the acceptance of justification by the respondent no.1, no disqualification is attracted.

7. The respondent nos.2 to 7 are the democratically elected representatives and the compliance on their part with the requirement to submit the accounts of the election expenses is reflected from the record. No case is made out to conclude that the respondents have incurred disqualification under Section 14-B of the Act of 1959. There is no perversity with the impugned order and hence, no indulgence is required under Article 227 of the Constitution of India.

8. In view of the above discussion, the writ petition fails and is accordingly dismissed. Rule stands discharged. No costs.

(PRAFULLA S. KHUBALKAR, J.)