



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

WRIT PETITION No. 6883/2024

PETITIONER : Smt. Manjusha W/o Sheshrao Yergude,
Aged 46 yrs, Occ. Housewife,
R/o Urja Nagar, Tah. & Dist.
Chandrapur (The Sarpanch
Grampanchayat Urja Nagar,
Chandrapur)

Vs.

RESPONDENTS : 1. The State of Maharashtra,
Through Additional Collector,
Chandrapur, Tah. & Dist. Chandrapur

2. Shri Devesh S/o Umashankar Gautam,
Aged about 51 years, Occ. Business,
R/o Ayush Nagar, Urja Nagar, Tadoba
Road, Chandrapur, Tah. & Dist.
Chandrapur

Mr. N.R. Bhishikar, Advocate for Petitioner
Mr. B.M. Lonare, AGP for Respondent No.1

CORAM: SACHIN S. DESHMUKH, J.

DATED : 04th AUGUST, 2025

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith. Heard finally with the consent of the parties.

2. The mandate of Section 7 of the Maharashtra Village Panchayat Act, 1959 (For short, "Act of 1959") read with Sections 8 and 36 of the Act of 1959, unequivocally obligates the Sarpanch of the Grampanchayat to conduct at least four meetings in every financial year. Failure to conduct the mandatory meetings entails disqualification of the Sarpanch for the post of remainder of term.

3. The complaint seeking disqualification of the petitioner for non-compliance with the mandate of Sections 7, 8 and 36 by the petitioner, has been adjudicated upon by the District Collector after considering the response from the petitioner. It is pertinent to note that in paragraph No. 6 of the reply presented by the petitioner has unequivocally admitted that the petitioner has not conducted mandatory meetings in the financial year. Attempt is made to attribute the lapses to the Secretary of the Grampanchayat in the wake of scheduled by-election. The reason assigned for failure to conduct the meetings has not been considered as sufficient by the Collector, while considering the explanation put-forth by the petitioner. Resultantly, the complaint has been allowed, disqualifying the petitioner.

4. The counsel for the petitioner has vehemently submitted that the aspect of sufficiency of reasons for not conducting the meetings in a financial year has not been considered by the District Collector,

as such, the order disqualifying the petitioner deserves to be quashed and set aside. Per contra, the learned Assistant Government Pleader has supported the order.

5. Having considered the rival submissions, it is matter of record that the petitioner has failed to conduct the meetings as mandated by the Act of 1959, unequivocally obligates that there shall be at least four meetings of the Grampanchayat in every financial year. The provisions, are self-operative in nature entails disqualification of the Sarpanch for the remainder of term. Admittedly, the petitioner has not disputed that fact that mandatory four meetings in a financial year have not been conducted. In any case, the reason of scheduled by-election, while not conducting the meeting as mandated by Sections 7 and 8 read with Section 36 of the Act of 1959, in any case, cannot be regarded as a sufficient cause to make the departure with the mandate of these provisions, those are self-operative, entailing disqualification.

6. Therefore, the order rendered by the Collector, allowing the complaint for not conducting the mandatory meeting as per provisions of the Act of 1959 is in conformity with the object and mandate of these statutory provisions, much less based on finding of fact recorded by the fact finding authority. No error is noted in the order rendered by the Collector while disqualifying the petitioner for

admitted non-compliance with the mandatory provisions while not conducting mandatory meetings. Resultantly, the petition does not deserve any consideration and accordingly the same is dismissed. No order as to costs.

Rules is discharged.

(SACHIN S. DESHMUKH, J.)

MP Deshpande