



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

WRIT PETITION NO. 1665/2025

**Smt. Jaymala Vitthalrao Wadgure Vs. The Additional Collector,
Yavatmal and others**

Office Memoranda of Appearances, directions and orders	Notes, of Court's orders and Registrar's	Office Coram, orders or Registrar's	Court's or Judge's orders
--	--	-------------------------------------	---------------------------

Mrs. M.R.Chandurkar & Mr. Rohan Chandurkar, Advocates for Petitioner
Mr. S.C. Joshi, AGP for Respondent No.1
Mr. V.M. Kulsunge, Advocate for Respondent No.2
Mr. Abhay Sambre, Advocate for Respondent No.4

CORAM: ANIL L. PANSARE, J.

DATED : 11th JULY, 2025

1. Having heard for some time, the issue involved is whether the meeting held on 02.10.2022 was a Gramsabha or Wardsabha. The respondent No.1 held that this meeting was Wardsabha, whereas the argument of the petitioner is that though the meeting is titled as Wardsabha, the contents of the resolution itself indicate that it was a Gramsabha.

2. According to the petitioner, the resolution mentions that wardsabha for ward Nos.1 to 3 was taken. The counsel for the petitioner submits that there are in all three wards in the Grampanchayat and in that sense, the Sabha was for all the wards, meaning thereby that it was a Gramsabha. She further submits that had it been wardsabha, the meeting would have been for one out of the three wards and not collectively for three wards. She has thus invited my attention to the resolution passed in the meeting. The resolution refers to previous meeting dated 23.08.2022. According to the petitioner the said meeting was a Gramsabha.

3. The counsel further submits that in the so called meeting of Wardsabha, the minutes of previous meeting dated 23.08.2022 were read and approved. The counsel submits that in wardsabha, the minutes of gramsabha cannot be approved. Thus it is argued that the meeting dated 02.10.2022, though was titled as Wardsabha, was in fact Gramsabha.

4. As against, the AGP and counsel for respondent No. 4 argued that the meeting was not Gramsabha, but a Wardsabha as has been mentioned in the resolution. Further argument is that the minutes have been signed by the petitioner and, therefore, she cannot now convert Wardsabha into Gramsabha.

5. I do not wish to express my views at this stage, in as much as it was for the respondent No.1 to render a categorical finding, considering the rival submissions. The respondent No.1 has not decided the issue, despite the above arguments put-forth. In that view of the matter, it will be appropriate to remand the enquiry back to the respondent No.1 for consideration afresh.

6. Accordingly, the petition is partly allowed. Order dated 13.02.2025, passed by the respondent No.1 – Additional Collector, in case No. G.P. Dispute No. 29/7/2024 is quashed and set aside. The enquiry is remanded back to the respondent no.1 for consideration afresh in accordance with law and what has been stated in the body of the order.

7. The parties shall appear before the respondent No.1 on 17.07.2025.

8. The respondent No.1 shall decide the appeal by 31.07.2025.

9. All issues are kept open.

10. The status of the petitioner as was existing before the respondent No.1 shall stand restored.

(ANIL L. PANSARE, J.)

MP Deshpande