



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 651 OF 2026**

SANGITA LOTAN PATIL

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

...

Mr. Jitendra Vijay Patil, Advocate for the Petitioner.

Mr. S. R. Yadav-Lonikar, AGP for Respondents-State.

Mr. Rajendra N. Chavan, Advocate for Respondent No.6.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 19th JANUARY, 2026.

P.C.:-

1. The writ petition takes exception to order dated 05.01.2026 passed in Grampanchayat Appeal No.112/2025 by Additional Divisional Commissioner, Nashik, by which petitioner is disqualified being member of Grampanchayat Dongaon, Taluka Dharangaon, Dist. Jalgaon.

2. The petitioner has been elected as member of village panchayat. The respondent no.6 raised dispute alleging that petitioner incurred disqualification in terms of Section 14(1)(J-3) of Maharashtra Village Panchayat Act (for short 'MVP Act'), as she has made construction on Government land and residing therein. In pursuance to aforesaid complaint, enquiry was caused. The report has been submitted by Block Development Officer, Panchayat Samiti, Dharangaon, which stipulates that petitioner has raised construction in Government land bearing Gut No.99/2 and she is residing therein. The District Collector upon

consideration of pleadings and material on record, dismissed Grampanchayat Dispute Application No.126/2025. However, in Appeal filed by complainant, Divisional Commissioner passed order of disqualification against petitioner.

3. Perusal of reasons recorded by Divisional Commissioner would show that as per 7/12 extract of land Gut No.99 is owned by Grampanchayat. The report of Block Development Officer dated 09.06.2025 depicts that petitioner raised construction of brick and cement with tin shed and residing in said property. The petitioner could not bring on record any document to show that she is owner of property or acquired title over property in Gut No.99/2. It is apparent that petitioner and similarly situated encroachers had moved for regularization of their encroachment. This fact itself depicts that petitioner is encroacher upon Government land. The observations made by Divisional Commissioner are in tune with record. Further nothing is brought on record to controvert conclusion drawn by Divisional Commissioner as regards to disqualification incurred by petitioner.

4. In that view of matter, no case is made out to cause interference in impugned order. Hence, Writ Petition stands dismissed.

(S. G. CHAPALGAONKAR)
JUDGE