



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

918 WRIT PETITION NO. 2153 OF 2026

Sarjerao Kailas Patil

....Petitioner

VERSUS

The State of Maharashtra & others

.....Respondents

Mr. P. V. Tapse Patil, Advocate for the Petitioner.

Mr. S. B. Pulkundwar, AGP for the State.

Mr. S. R. Dheple, Advocate for Respondent Nos. 4 to 6.

**CORAM : SMT VIBHA KANKANWADI
& HITEN S VENEGAVKAR, JJ.**

DATE : 2nd APRIL, 2026.

PER COURT : (PER : HITEN S. VENEGAVKAR, J.)

1. Heard learned Advocate for the Petitioner. Learned Advocate Mr. Dheple waives service of notice on behalf of Respondent Nos. 4 to 6.

2. Petitioner impugns the decision taken by Respondent No. 8 thereby accepting the resignation of the present Petitioner as a Waterman, tendered to the Gram Sabha. Learned Advocate for the Petitioner invited our attention to the fact that immediately on the next day i.e. on 25.07.2025 and thereafter on 11.08.2025, the Petitioner had preferred a representation before the Block

Development Officer, Panchayat Samiti, Erandol, raising a grievance that the resignation was obtained by the Gram Panchayat members under pressure and coercion by taking his signature on the blank paper. He has never tendered or had any intention to tender the resignation of his employment. He, therefore, had prayed to the Block Development Officer not to accept the resignation that has been accepted by Gram Panchayat. The learned Advocate thus submits that the representations dated 25.07.2025 and 11.08.2025 are still pending decision with the authorities and same can be directed to be decided within a specified period.

3. We have perused the scheme under the Maharashtra Village Panchayat Act. Section 61 of the said Act deals with the provision for appointment of servants by the Panchayat. Section 61(1) also provides for a mechanism that the order passed by the Panchayat is appealable before the Block Development Officer and the period of limitation prescribed therein is of one month from the date of communication of the order passed by the Panchayat to its servant. In the light of Section 61(1) of the Act, the representation submitted by Petitioner on 25.07.2025 to the Block Development Officer is well

within the period of limitation and can be termed as a statutory appeal under Section 61(1) of the said Act.

4. Accordingly, we direct the Block Development Officer, Erandol, to decide said representation within a period of two months from today. Writ Petition accordingly stands disposed of.

(HITEN S. VENEGAVKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

dyb