IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4626 OF 2026

UDAY SHIVAJI JAGTAP
Digitally signed by UDAY SHIVAJI JAGTAP
Date: 2026.11.04 10:41:19 +0530

Abhijeet Bhagwat Khedkar … Petitioner

Vs.

The State Of Maharashtra and Ors … Respondents

.....

Mr. Vasim F. Momin a/w Chandrakiran G. Dongare for the Petitioner
Mr. Kiran Nikam (through VC) a/w Mohan M. Chavan for Respondent No.2.
Mr. Sanjay D. Rayrikar, AGP for Respondent No.1 - State

.....

CORAM : SHAILESH P. BRAHME, J.

DATE : 3rd NOVEMBER, 2026.

P. C. :

. Heard both sides.

2. The Writ Petition is directed against the order dated 13.08.2026 suspending the order dated 14.05.2026 passed by the Divisional Commissioner, Pune as it was not possible to hear the matter finally.

3. Learned AGP has tendered on record written instructions to indicate that matter is posted tomorrow for final disposal. I have already observed that impugned order is unreasoned. When the Divisional Commissioner decided the issue of removal of Sarpanch by assigning elaborate reasons vide order dated 14.05.2026, it would be obligatory on the Revisional Authority to assign some reasons for suspending such

order, which is lacking.

4. Learned counsel for the applicant has informed subsequent development that the election of Deputy Sarpanch is underway and taking disadvantage of the impugned order, the respondent – Sarpanch is likely to participate in the process.

5. Learned counsel for respondent no.2 would submit that as the matter is scheduled tomorrow, instead of interfering in the matter direction be given to the learned Minister to decide the matter or to pass reasoned order for suspending the order passed by the Divisional Commissioner. It is further submitted that liberty be given to him to secure stay of the order before the learned Minister.

6. It is reiterated that impugned order is unsustainable for want of reasons. I find substance in the submission of learned counsel for the petitioner that the impugned order is likely to enure to the benefit of the respondent No.2 - Sarpanch. The respondent no.2 is removed as serious charges have been proved against him. The Divisional Commissioner recorded elaborate reasons for passing drastic orders against respondent No.2. Under such circumstances, I find substance in the petition.

7. The Writ Petition is allowed and the impugned order dated 13.08.2026 shall stand quashed and set aside.

8. After pronouncement of the order, learned counsel for respondent no.2 seeks continuation of stay granted to order of his removal. The request is opposed by the learned counsel for the petitioner. As the removal of respondent no.2 is by reasoned order and for serious charges, I am not inclined to accept the request. It stands rejected.

(SHAILESH P. BRAHME, J.)