



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 2583 OF 2025

Durga Raghunath Nagdeve, Age: 44 years, Occ: Sarpanch of Grampanchayat – Navegaon (Khurd) Tah. Tiroda, Dist.Gondia R/o Navegaon (Khurd), Tah. Tiroda, Dist.Gondia-441911.

PETITIONER

VERSUS

1. State of Maharashtra, Through its Secretary, Ministry of Rural Development and Panchayat Raj, Maharashtra State, Madam Kama Road, Mantralaya, Mumbai – 400 032.
2. The Collector, Collectorate Administrative Building, Amgaon Rd., Fulchur Tola, Gondia.
3. Tahsildar, Office of Tahsildar, Tiroda, Tahsil Tiroda, District Gondia.
4. Urmila Banshidhar Patle, Age: 45 years, Occ:Up-Sarpanch, R/o Navegaon (Khurd), Tah. Tiroda, District Gondia.
5. Kothiram Zingar Nishane, Age: 50 years, Occ:Member, R/o Navegaon (Khurd), Tah. Tiroda, Dist. Gondia.
6. Jitendra Waman Bhilai, Age: 50 years, Occ: Member, R/o Navegaon (Khurd), Tah. Tiroda, Dist. Gondia.
7. Chanda Adesh Meshram, Age: 47 years, Occ: Member, R/o Navegaon (Khurd), Tah. Tiroda, Dist. Gondia.
8. Minakshi Sankhpal Patle, Age: 42 years, Occ: Member, R/o Navegaon (Khurd), Tah. Tiroda, Dist. Gondia.
9. Pramila Dhanendra Binzade, Age: 50 years, Occ: Member, R/o Navegaon (Khurd), Tah. Tiroda, Dist. Gondia.
10. Gopal Ishwar Patle, Age: 55 years, Occ: Member, R/o Navegaon (Khurd), Tah. Tiroda, Dist. Gondia.

RESPONDENTS

Shri G.C. Khond, counsel for the petitioner.
Shri H.R. Dhumale, Assistant Government Pleader for the respondent nos.1 to 3.
Shri A.V. Wankhede, counsel for the respondent nos.4 to 10.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : FEBRUARY 09, 2026

ORAL JUDGMENT

RULE. Rule made returnable forthwith. Heard finally with consent of the learned counsel for the parties.

2. The petitioner takes exception to the communication issued by the respondent no.3-Tahsildar thereby confirming the no confidence motion against the petitioner passed in the special meeting of Gram Sabha held on 24.02.2025 and the rejection of her appeal by the Collector, Gondia by order dated 25.04.2025 consequent upon which the petitioner is removed from the post of Sarpanch, Gram Panchayat Navegaon (Khurd).

3. The petitioner was elected as Member of the Gram Panchayat and thereafter as Sarpanch of Gram Panchayat Navegaon (Khurd). During the tenure of the petitioner, a no confidence motion was moved against the petitioner which was passed by majority in the meeting held on 24.02.2025 and ratified in the special Gram Sabha meeting held on 04.04.2025 and resultantly the petitioner stood removed from the post of Sarpanch.

4. The only contention of the learned counsel for the petitioner challenging the decision of no confidence motion and the order passed by the Collector against her is that the meeting of Gram Sabha for ratification of the no confidence motion was not held within fifteen days thereby violating the mandate of the provisions of Section 35(3-B) of the Maharashtra Village Panchayats Act, 1959 (for short, 'the Act of 1959'), rendering it illegal and unsustainable.

5. While considering the controversy involved in the petition, it has to be noted that undisputedly the motion of no confidence was passed against the petitioner by majority which was preceded by proper procedure of issuance of notice by the Tahsildar and participation of the

petitioner in the said meeting. Out of eight Members who participated in the meeting, seven Members have supported the motion of no confidence and it was thus unanimously passed against the petitioner. As such, while considering further procedural requirement of convening the special meeting for ratification by the Gram Sabha, it has to be noted that the fact of loss of confidence of the Members was just required to be ratified by the Gram Sabha and as such the focus is on the aspect of ratification rather than the period of fifteen days.

6. In this regard, the learned counsel for the respondent nos.4 to 10, while opposing the petition placed reliance on the judgment of the Coordinate Bench of this Court in ***Salita Jaidev Ganthade Versus State of Maharashtra & Others*** [Writ Petition No.2521 of 2025] in which it is held that ratification of the motion of no confidence by the Gram Sabha is although mandatory, however the time frame within which the ratification must be done cannot be said to be mandatory. As such, the requirement of ratification by the Gram Sabha is indeed vital for confirmation of the loss of confidence and mere failure to call the special meeting of the Gram Sabha within fifteen days cannot be considered to be an illegality of such a nature having effect of revival of confidence. Thus, in this case though the special meeting of Gram Sabha was held on 04.04.2025, i.e. after more than one month from the motion of no confidence, the same cannot be considered to be a gross illegality thereby nullifying the effect of no confidence motion passed against the petitioner.

7. A perusal of the order passed by the Collector reveals that due consideration is given to the compliance with all the procedural aspects for moving the motion of no confidence and after recording its findings in that regard, it is inferred that the motion of no confidence was properly passed. Even with respect to the requirement of ratification of the motion by the Gram Sabha, due consideration is given to the fact that it was ratified in the special meeting of Gram Sabha holding secret ballot. On the basis of the entire material available before it, the Collector has rejected the appeal filed by the petitioner.

8. Having regard to the above mentioned factual and legal circumstances, I do not find any force in the submissions advanced on behalf of the petitioner. No indulgence is therefore warranted with the impugned order. The writ petition is dismissed with no order as to costs. Rule stands discharged.

(PRAFULLA S. KHUBALKAR, J.)