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

Writ Petition No.7622/2025
Dadaji V Divisional Commissioner, Nagpur and others

| Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders | Court's or Judge's orders |
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Mr. R.S. Kurekar, Advocate for petitioner.
Mr. Joshi, AGP for resp. nos.1 and 2.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 13-01-2026.

Heard learned Counsel for the petitioner.

2. Petitioner's challenge is to orders passed by respondent nos.1 and 2, rejecting the application filed by the petitioner seeking disqualification of respondent no.3 under Section 14(1)(j-3) of the Maharashtra Village Panchayats Act, 1959 (for short, 'the said Act').

3. Learned Counsel for the petitioner submits that respondent no.3 who is the elected Member of Gram Panchayat has committed encroachment on Government Land bearing Survey No.656 and was therefore required to be disqualified, however, respondent no.2 has rejected the application observing therein that there is no encroachment on Government land. He submits that even respondent no.1 while considering the appeal under Section 16(2) of the said Act has recorded the similar findings observing that there is no encroachment on Government land.

4. While considering the controversy, on perusal of impugned orders passed by respondent nos.1 and 2, it appears that the allegations about encroachment on Government land with respect to land bearing Survey No.656 was given due consideration by the authorities and it was

found that the said land was declared as Abadi land and there is no encroachment by the petitioner on Government land. Respondent no.1 has given elaborate consideration to all the contentions and after recording that there is no encroachment has rejected the application. Even the order passed by respondent no.2 while considering the appeal also deals elaborately with all the relevant aspects.

5. I have given anxious consideration to the contentions canvassed by the petitioner. On perusal of the documents on record and the impugned orders, it becomes clear that there is no material on record to conclude that the respondent no.3 has committed any encroachment on Government land attracting disqualification under Section 14(1)(j-3) of the Act. No perversity is seen with the impugned orders. Writ petition is accordingly dismissed. No order as to costs.

(Prafulla S. Khubalkar, J.)

*Deshmukh*

Signed by: Mr. S.Deshmukh
Designation: PS To Honourable Judge
Date: 14/01/2026 11:55:56