



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

WRIT PETITION NO. 200 OF 2026

Rameshwar Doma Khedekar,
Aged :48 Yrs., Occ.: Agriculturst,
R/o. Deolikala, Tq. Kuhi,
District Nagpur

...PETITIONER

// V E R S U S //

1. **The State of Maharashtra**
through Principal Secretary,
Rural Development Department,
Mantralaya, Mumbai-32

2. **The Additional Divisional**
Commissioner, Nagpur Division,
Nagpur

3. **The Chief Executive Officer,**
Zilla Parishad, Nagpur

4. **Gram Panchayat, Devalikala,**
Tq. Kuhi, Dist. Nagpur
through Secretary.

5. **Tima Vikram Sayare,**
Aged: 48 Yrs., Occu.: Agriculturist,
R/o. Devalikala, Tq. Kuhi,
District Nagpur

..RESPONDENTS

Mr Pritesh Atkar, Advocate for the petitioner
Ms S. S. Jachak, AGP for the respondent Nos. 1 and 2/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATED : JANUARY 09, 2026.

ORAL JUDGMENT : (PER : RAJ D. WAKODE, J.)

1. Heard.

2. **RULE.** Rule made returnable forthwith. Taken up for final disposal with the consent of learned counsel for the parties.

3. The contention of the petitioner is that the petitioner was disqualified by respondent No. 2- Additional Commissioner, Nagpur Division, Nagpur under Section 39(1) of the Maharashtra Village Panchayat Act, 1958 (for short 'the said Act') vide order dated 04.11.2025. The petitioner has availed the statutory remedy and has challenged the aforesaid order before the respondent No.1. by filing appeal under Section 39(3) of the said Act on 19.11.2025. The petitioner has also invited our attention to the application for grant of urgent hearing and application for grant of stay filed by the petitioner on 19.11.2025 which are on record at pages 70 and 74 Annexure G & H. The submission is that till date neither the application for grant of stay nor the appeal has been decided by the respondent No.1.

4. Perusal of the Section 39 (3) of the said Act revealed that the aforesaid appeal has to be decided by the respondent No.1 within the period of one month from the date of receipt thereof. The appeal was filed by the petitioner on 19.11.2025. However, even after passage of more than one month the present appeal neither the stay application has been decided. Accordingly we pass the following order :

ORDER

- i] The writ petition is allowed.
- ii] The respondent No.1 is directed to decide the application for grant of stay so also the appeal filed by the petitioner on 19.11.2025 within a period of four weeks from the date of appearance of the parties before the respondent No.1.
- iii] The petitioner shall appear before the respondent No.1 on 21.01.2026 and shall produce the copy of the present writ petition so also the order passed by this court thereupon.
- iv] The respondent No.1 to take decision as directed above within a period of four weeks from the date of the first appearance of the parties.

v] The decision taken thereupon shall be communicated to the petitioner within a period of two weeks from the date of decision.

The writ petition stands **disposed of**, in the above terms. No order as to costs. Rule accordingly.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]

Namrata