



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

Writ Petition No.934/2026

Sham V Maharashtra of State thr its Secretary, Department of Health, Mumbai and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.S. Taram, Advocate for petitioner.
Mr. D.P Thakre, Addl.GP for respondent nos.1 and 3.

CORAM : Anil S. Kilor and Raj D. Wakode, JJ.

DATE : 04-02-2026.

Heard Mr. Taram, learned Counsel for the petitioner.

2. The contention is that the petitioner who was elected as a Member of Grampanchayat, Walsara, was subsequently appointed on 17-10-2025 as a 'Swayamsevika of Asha'. The copy of appointment order dated 17-10-2025 is on record at page no.20 at Annexure-'C'). The petitioner on 24-10-2025 at 11.45 am resigned from the Membership of the Gat Grampanchayat, Walsara. The copy of resignation letter is on record at page no.22 at Annexure-'D'. After resigning from the post of Member of Grampanchayat, the petitioner joined her services as 'Swayamsevika of Asha' vide joining report dated 24-10-2025 which is on record at page no.22. Thus, the learned Counsel for the petitioner submits that the petitioner had chosen to accept the post of 'Swayamsevika of Asha' and had given up the Membership of the Grampanchayat and wanted to continue on the post of 'Swayamsevika of Asha'. However, the respondent no.3- Taluka Health Officer, Tahsil Chamorshi, District Gadchiroli had terminated the services of the petitioner on the same ground of being a Member of the Grampanchayat vide impugned termination order dated 30-12-2025 which is on record at page no.18 at

Annexure-'A'. In view of above, the learned Counsel for the petitioner seeks challenge to the aforesaid impugned communication and requests this Court to set aside the aforesaid communication.

3. The fact remains that the issue involved in the present petition is covered by the judgment of this Court dated 06-10-2015 in Writ Petition No.5559/2015. In view of the above, we dispose of the present writ petition with a direction to the respondent no.3 -Taluka Health Officer, Tahsil Chamorshi, District Gadchiroli, to treat the present writ petition as a representation for reconsidering the decision dated 30-12-2025 and decide the aforesaid representation within a period of 08 weeks from the date of receipt of this order.

4. Respondent no.3 is directed to consider the law settled by this Court in Writ Petition No.5559/2015 while deciding the aforesaid representation.

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

6. Writ petition is accordingly disposed of.

(Raj D. Wakode, J.)

(Anil S. Kilor, J.)