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

WRIT PETITION NO. 1281 OF 2026

Mamta w/o Anandrao Hatwar
Vs.
The Additional Commissioner, Nagpur and Ors.

Office notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders.

Mr. Tejas Deshpande, Advocate for petitioner.
Mr. H.R. Dhumale, AGP for respondent Nos.1 & 2/State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 10.02.2026

Heard learned counsel for the petitioner.

2. The petitioner's challenge is to order dated 22.01.2026 passed by the Additional Commissioner, Nagpur Division, Nagpur, thereby allowing the appeal filed by the respondent No.3 – complainant alleging disqualification of the petitioner under Section 14(1)(h) of the Maharashtra Village Panchayats Act, 1959 (for short 'the Act of 1959).

3. The petitioner is an elected Member of Gram Panchayat, Koylari, Taluka - Tirora, District – Gondia. A complaint was filed against the petitioner seeking his disqualification under Section 14(1)(h) of the Act of 1959, alleging his failure to pay the Gram Panchayat taxes within the requisite time. The proceedings were initiated before the Additional Collector and by order dated 31.12.2024, the complaint was rejected. Against the said order, the complainant filed an appeal under Section 16(2) of the Maharashtra Village Panchayats Act, 1959, before the Additional Commissioner, which is allowed by order dated 22.01.2026, resultantly, the petitioner is disqualified as a Member of Gram Panchayat. The petitioner has challenged this order by way of instant petition.

4. The primary contention canvassed on behalf of the petitioner is that the demand bills, which were issued to the petitioner, were for the consolidated period of the entire year and the bills were not split for different periods of four months and the conclusion of disqualification based on such bills is erroneous. In support of his submissions, reliance was placed on the judgment in the matter of ***Angha Ajit Bhatkar Vs. State of Maharashtra***, reported ***in 2007 (3) BCR 865.***

5. Learned counsel for the petitioner also submitted that although this judgment was subsequently considered by the Division Bench in the matter of ***Ashok Tukaram Dohe Vs. Divisional Commissioner, Nagpur and Ors.,*** reported in ***2016 (5) Mh.L.J. 691***, the fact that the taxes were paid by the petitioner ought to have been given due consideration before ordering disqualification of the petitioner.

6. While considering the controversy, it has to be seen that undisputedly, the demand bills were served upon the petitioner granting 15 days time and the payment was made by the petitioner after a period of more than three months. The Additional Commissioner has given due consideration to these aspects and by recording specific details of the demand bill and the dates of payment in paragraph No.4.4 has concluded that the members have incurred disqualification.

7. It has to be noted that by considering the position of law as laid down in the matter of ***Ashok Tukaram Dohe (supra)***, the Commissioner has rightly arrived at the conclusion that the contention about non-splitting of the bill cannot be of any assistance to the petitioner.

8. Perusal of the impugned order shows that the Additional Commissioner has given due consideration to the relevant factual and legal aspects. No interference is thus warranted with the impugned order as no perversity is seen.

9. Writ petition is accordingly dismissed. No order as to costs.

(Prafulla S. Khubalkar, J.)