



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

WRIT PETITION NO.1313 OF 2026

Sau. Puja Sagar Gahale Vs. Gopal Subhashrao Gawande and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. J.B. Gandhi, Advocate for the Petitioner.

Mr. S.C. Joshi, AGP for the Respondent/State.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 11th FEBRUARY, 2026

1. Heard learned counsel for the petitioner.
2. Petitioner's challenge is to several orders dated 21.01.2026 passed by the respondent No.6 – the Additional Collector, Akola thereby, rejecting the applications filed by the petitioner for appointment of an expert measurer from Akola T.I.L.R. Office, application for recording of evidence of parties and grant of permission to cross-examine the measurer and an application for grant of permission to file objection to the measurement report.
3. It has to be seen that these applications were submitted by the petitioner in the proceedings initiated by respondent Nos.1 to 3 under Section 14(1)(j)(3) of the Maharashtra Village Panchayat Act, (for short "the Act"). The petitioner has filed these three applications before the respondent No.6 to ascertain the fact as to whether there is any encroachment committed by the petitioner which would attract the disqualification under Section 14(1)(j)(3) of the Act.

4. It is seen that all these applications are filed by the petitioner in the proceedings before the Collector, as if a civil suit is being prosecuted. Having regard to the controversy involved, the only grievance of the petitioner with respect to an opportunity to file objections to the measurement reports which are already on record, needs to be considered. Since, there is no provision of law allowing the petitioner to prosecute the other applications seeking an opportunity to cross-examine the measurer or for appointment of another expert measurer for collecting the evidence, the grievance in that regard is not entertained and to that extent, the petition deserves to be dismissed.

5. However, it is clarified that the petitioner is entitled to submit his objections to the measurement reports which are already on record. In the event, any objection is submitted by the petitioner, the respondent No.6 shall consider the same while passing final orders in the proceedings.

6. In view of the above observations, the writ petition is **dismissed** with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

Privel