



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

WRIT PETITION NO.2166 OF 2026

**[Smt. Savitri W/o Tukaram Gedam ..vs.. The State of Maharashtra
and Others]**

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

Court's or Judge's order

Shri. S. S. Taram, Advocate for Petitioner.
Ms T. H. Khan, AGP for Respondents/State.

**CORAM : ANIL S. KILOR AND
RAJ D. WAKODE, JJ.**

DATE : 12th MARCH, 2026.

- . Heard Shri. S. S. Taram, learned counsel for petitioner.
2. The petitioner, who is the Sarpanch of Gram Panchayat Pulkhal, Tahsil and District Gadchiroli, has approached this Court seeking a declaration that the Gram Sabha of the Scheduled Areas is empowered to manage and control natural resources, including minor minerals like sand and minor mineral management.
3. The contention is that the Gram Sabha has power to control, manage and regulate minor minerals such as sand in their local, traditional and customary areas. According to the petitioner, before the auction of such minerals, the Gram Sabha should be consulted by the respondents and more specifically by respondent No.2 - the District Collector, Gadchiroli.
4. The issue involved in the present writ petition pertains to the settled policy adopted by respondent No.1 - State of Maharashtra pertaining to the auction of major and minor minerals. The petitioner has raised a grievance relying upon Chapter - VI Section 32 of the provisions of Panchayats

(Extension to the Scheduled Areas) Act, 1996, which is at record page No.23 (Annexure – B). The similar request has already been raised by the petitioner which is at record page No.49 (Annexure – E) and record page No.52 on 23.01.2026.

5. In view of the above, since the issue regarding the policy on the subject matter is involved, we dispose of the present writ petition with a direction to respondent No.1 - State of Maharashtra to consider the aforesaid representations dated 06.01.2026 and 23.01.2026, within a stipulated period of twelve weeks from the date of production of the order of this Court. The respondent No.1 is further directed to treat the present petition as a representation and to consider and decide the same in accordance with the grounds raised therein and in accordance with law, more specifically in accordance with the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 and the PESA Rules, 2014.

6. The petitioner undertakes to produce a copy of the present writ petition alongwith a copy of this order before respondent No.1, within a stipulated period of four weeks from today.

7. If such representation is made and the order is produced, respondent No.1 shall decide the same in accordance with the order aforesaid and communicate the decision to the petitioner within a period of two weeks thereafter.

8. The present writ petition is, accordingly, disposed of.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)