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

WRIT PETITION NO.3328 OF 2026

[Smt. Ippo wd/o Kare Made **Vs.** The State Election Commission, Mumbai 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 Shankar Borkute, Counsel for Petitioner.
Shri H.D. Marathe, Assistant Government Pleader for Respondent Nos.2 to 4.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATE : 22nd APRIL, 2026.

P.C.:

1. Heard Shri Shankar Borkute, learned counsel for the petitioner; and Shri H.D. Marathe, learned Assistant Government Pleader for the respondent Nos.2 to 4.

2. The contention of the learned counsel for the petitioner is that the petitioner was elected as Sarpach of Gram Panchayat Bejurpalli, Taluka Sironcha, District Gadchiroli, in the general elections held on 20th December, 2022. On an application filed by the respondent No.7, the petitioner was disqualified as Sarpanch by the respondent No.3- District Collector, Gadchiroli, by an order dated 6th October, 2025 passed under Section 14(1)(j-1) of the Maharashtra Village Panchayats Act, 1959.

3. Being aggrieved by the aforesaid order dated 6th October, 2025 passed by the respondent No.3- District Collector, Gadchiroli, the petitioner approached the respondent No.2- Additional Divisional Commissioner, Nagpur Division, Nagpur by filing a statutory appeal under Section 16(2) of the aforesaid Act. The said appeal was heard and decided by the respondent No.2 vide order dated 30th March, 2026, whereby the matter was remanded back to the respondent No.3 for consideration afresh after granting opportunity of hearing to the petitioner. In the meanwhile, since the post of the petitioner was declared

as vacant, the respondent No.4- Tahsildar, Sironcha has issued the election notice on the same date, i.e. 30th March, 2026, and the election is scheduled on 28th April, 2026. Being aggrieved by the said election notice, the petitioner has approached this Court.

4. The contention of the learned counsel for the petitioner is that once the appeal of the petitioner was partly allowed by the respondent No.2- Additional Divisional Commissioner, Nagpur Division, Nagpur, the disqualification of the petitioner is set aside and the post of Sarpanch is now no more vacant and the election notice dated 30th March, 2026 is issued by the respondent No.4- Tahsildar, Sironcha is unsustainable. This position is not disputed by the learned Assistant Government Pleader for the respondent Nos.2 to 4.

5. In view of above, the present petition is allowed. The impugned election notice dated 30th March, 2026 issued by the respondent No.4- Tahsildar, Sironcha, thereby declaring the election for the post of Sarpanch, Gram Panchayat Bejurpalli, Taluka Sironcha, District Gadchiroli, is hereby quashed and set aside.

6. The petition stands disposed of. No order as to costs.

(RAJ D. WAKODE, J.) (ANIL S. KILOR, J.)

LANJEWAR