



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

WRIT PETITION NO. 2748 OF 2025

Shatrughna Madhukar Bajad Vs. The Collector, Washim 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. S.D. Chande, Advocate for petitioner.
Ms. K.H. Bhondge, AGP for respondent Nos.1 & 2/State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 07.04.2026

Heard learned counsel for the petitioner as well as the learned AGP for the respondents/State.

2. By this petition, the petitioner has challenged the motion of no confidence and the order dated 29.04.2025 passed by the respondent No.1 – Collector, Washim, under Section 35(3B) of the Maharashtra Village Panchayat Act, 1959 (hereinafter referred to as ‘the said Act’).

3. The petitioner, who was an elected ‘Sarpanch’ of the Gram Panchayat Wadji, Tah. Risod, District- Washim, has faced no confidence motion which was passed by the 3/4th majority in the meeting held on 24.03.2025. The motion of no confidence was also ratified by the Gram Sabha which was held on 10.04.2025.

4. While assailing the impugned order, learned counsel for the petitioner submitted that special meeting for no confidence motion was although held on 24.03.2025, in which the petitioner was personally present, the same was not completed in one-go. He submitted that the petitioner has attended the said meeting and has signed on the register at 11:33 a.m. on 24.03.2025 and thereafter, the Tahsildar was required to attend some other programme and the meeting was thereafter, continued after one hour. He also submitted that the petitioner had signed the resolution which shows his presence on 24.03.2025 at 12:35 p.m. He therefore submitted that the first meeting conducted for no confidence motion got lapsed and the second meeting although conducted within one hour could not be considered as valid for passing the no confidence motion. By relying on provisions of Section 35(3A) particularly the 5th proviso, he submitted that the no confidence motion having failed once, it could not have been passed before expiry of period of two years. He therefore submitted that the entire motion of no confidence as well as the impugned order passed by the Collector, are unsustainable in law.

5. Learned AGP for respondent opposed the petition and submitted that there is no irregularity in the conduct of special meeting in which the no confidence

motion is passed against the petitioner. She submitted that the special meeting was held on the same day and there is no question of lapsing of first meeting thereby attracting the proviso to Section 35(3A) as referred above.

6. She also submitted that the petitioner has already lost the confidence of the majority and the contentions raised for pointing out some irregularities are without any basis.

7. While considering the controversy, it has to be seen that the notice of special meeting was duly served upon the petitioner. In response to the notice, he has participated in the meeting and has also signed the resolution. Although, the petitioner has put his signature on 24.03.2025 at 11:33 a.m. as well as at 12:34 p.m., a perusal of the resolution clearly shows that the meeting was convened properly and the no confidence motion was proposed and seconded and it is duly passed. It is clear that pursuant to the notice, only one meeting was held in which the no confidence motion was passed.

8. There is nothing on record to indicate that there were two meetings or that the first meeting of no confidence motion failed or stood lapsed on any count. As a result, the proviso to Section 35(3A) of the Maharashtra Village Panchayat Act, cannot be attracted.

9. Pertinent to note that the petitioner has lost confidence of the members and they have voted in favour of the motion and the petitioner is therefore required to respect the will of the majority.

10. On perusal of the impugned order passed by the Collector it becomes clear that the Collector has given due consideration to all the relevant factual and legal aspects and after having found that the meeting of no confidence motion was duly convened and the motion of no confidence was passed by requisite majority of 3/4th members, which was even ratified, by the Gram Sabha, and in view of this the Collector has recorded a finding that the no confidence motion was required to be confirmed.

11. Perusal of the impugned order shows that proper reasons are recorded in support of the impugned order showing no perversity on any count.

12. In view of the above mentioned factual and legal aspects, no interference is warranted with the impugned order. Writ petition is accordingly dismissed. No order as to costs.

(Prafulla S. Khubalkar, J.)