



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

908 WRIT PETITION NO. 2326 OF 2024

SUDAM LAXMAN RODE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY  
AND OTHERS

...

Mr. Latange Vijay Prabhakar Rao, Advocate for the Petitioner.  
Mr. Rchir S. Wani, AGP for Respondent/State.  
Mr. A. B. Kadethankar, Advocate for Respondent Nos.2 and 3.  
Mr. A. D. Aghay, Advocate for Respondent No.7.  
Mr. Rahul R. Karpe, Advocate for Respondent No.9.

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CORAM : MANGESH S. PATIL

&

PRAFULLA S. KHUBALKAR, JJ.

DATE : 18<sup>th</sup> December, 2024

Per Court :-

Pursuant to the earlier orders, remaining two members of the scrutiny committee Mr. Vikas Pansare and Mr. Bhagwat Ukhaji Khare have tendered affidavits, *inter alia* mentioning that it was a mistake and tendering an apology, one of whom now stands superannuated.

2. Considering the issue which we had expressly recked up in our initial order dated 3<sup>rd</sup> December 2024, there cannot be any justification for passing such an order. Even it

cannot be brushed aside as a mistake. Though these affidavits, *inter alia*, mention that it is due to lack of training that the mistake had occurred, it is more surprising if one bears in mind the mistake which we have pointed out. It is a sheer negligence on the part of the members of the committee in signing an order of this kind which is one page order and even while signing they could have easily noticed the details of documents which were filled in by hand. We are of the firm view that it is not a mistake, but a sheer gross negligence.

3. We are emboldened to state that even the common sense did not prevail over the committee to comprehend that since the proposal for validation of the claim had to be taken up pursuant to the election, there would be a contesting candidate questioning the validity to be granted. Still, they have passed the one page order, wherein only portion that was filled in, as we have indicated in the first order, was merely scribbling.

4. In view of such peculiar circumstances, we are not even inclined to accept the apology. Let this remain on the

record forever.

5. Copy of this order be sent to the Chief Secretary,  
Government of Maharashtra, Mantralaya, Mumbai.

( PRAFULLA S. KHUBALKAR, J.) ( MANGESH S. PATIL, J.)

*AGNarwade*