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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

5 WRIT PETITION NO. 11974 OF 2025

Vedant Bhupendra Jadhav
VERSUS
Chief Election Commissioner And Others

.....

70 WRIT PETITION NO. 12608 OF 2025

Sumit Maruti Pawar And Another
VERSUS
The Election Commission Of India Through Its Secretary And Others

.....

WRIT PETITION NO. 12707 OF 2025

Abhijit Bhaskarrao Deshmukh
VERSUS
The State Election Commission of Maharashtra
Through Its Commissioner and Others

.....

Ms. Surekha Mahajan and Mr. Vivek Patil, Advocates for Petitioner in WP/11974/2025
Mr. D.S. Bagul, Advocate for Petitioners in WP/12608/2025
Mr. D.R. Kale, Advocate h/f Mr. G.A. Gadhe, Advocate for Petitioner in WP/12707/2025
Mr. A.B. Girase, Government Pleader for Respondents/State Authorities
Mr. Sachindra Shetye, Advocate for Respondent/State Election Commission in all WPs
Mr. Alok Sharma, Advocate for Respondent No.1, 2, 4 to 6 in WP/11974/2025 and for Respondent No.1 in WP/12608/2025

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**CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 13 OCTOBER, 2025

PER COURT :-

1. Writ petition No.12707 of 2025 not on board. Upon mentioning, taken on board.
2. It will not be out of place to mention here that other matters, which pertain to challenges regarding the formation of the wards, etc., are also pending. In view of the liberty granted to the Government of Maharashtra as well as the State Election Commission, it has been submitted that a praecipe has been moved before the Hon'ble the Chief Justice of this Court for clubbing of the matters. The said liberty is given in the petition for special leave to appeal number 19756 of 2021 by order dated 16.09.2025. As regards these three matters, the learned advocates for the petitioners are objecting on the ground that they do not fall within the category of delimitation exercise or reservation of wards. The petitioners are primarily interested in the inclusion of their names in the voters' list prepared for the elections to the Zilla Parishad or the Grampanchayat, as the case may be. In Writ Petition No. 12608 of 2025, the petitioners seek to set aside the notification dated 21.08.2025, to the extent of fixing of the cut-off date for the voters' list. Similarly, in Writ Petition No. 12707 of 2025, the challenge is also with regard to the fixation of the cut-off date. The learned advocates have taken us through the relevant provisions of the Maharashtra Zilla

Parishads and Panchayat Samitis Act, as well as the Representation of the People Act. However, the question arises as to whether, in view of the steps taken by the State Government or the State Election Commission, this Bench can proceed with the matters. The learned Government Pleader informs the Court that the numbers of these three matters have not been included in the praecipe. The learned advocate for the State Election Commission submits that, taking into consideration the prayers made, the matter would fall within the realm of the directions issued by the Hon'ble Supreme Court.

3. It is to be noted that, prior to the order dated 16.09.2025, it appears that an order was passed by the Hon'ble Supreme Court on 06.09.2025, a reference to which has been made in the present case. Paragraph 5(iii) of the order dated 16.09.2025 held that, "*An endeavour shall be made to conclude the elections within a period of four months. However, the State Election Commission shall be at liberty to seek extension of time in appropriate cases.*" It was then found that the elections had not yet been notified. A query was put to the State Counsel and the Counsel for the State Election Commission, who subsequently submitted their difficulties. In this background, the Hon'ble Supreme Court specifically observed that the State Election Commission failed to take the desired action to ensure compliance with

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the order dated 06.05.2025 and to conduct elections within the prescribed time schedule. Thereafter, directions were issued regarding the decision on delimitation exercises, as well as the deployment of staff, among other matters. It was specifically observed that the elections of all local bodies, including Zilla Parishads, Gram Panchayat Samitis, and Municipalities, shall be conducted by 31.01.2026, and it was stated that no extension would be granted. For other purposes, paragraph No. 9 is important, which runs as follows:

“9. At this juncture, we are informed that various writ petitions have been filed before different Benches of the High Court of Judicature at Bombay questioning the delimitation exercise or reservation of wards etc. The State of Maharashtra/State Election Commission may seek clubbing of all these petitiones before one Bench and such a prayer may be sympathetically considered by the Hon’ble Chief Justice of the High Court of Judicature at Bombay.”

4. Here, the term 'clubbing of the matters questioning the delimitation exercise or reservation of wards, etc.' has been used

5. Now, in Writ Petition No. 12707 of 2025, the petitioner seeks to change the cut-off date, which would definitely affect the election. A similar situation arises in Writ Petition No. 12608 of 2025. As regards the inclusion of the petitioner’s name in Writ Petition No. 12974 of 2025, it is stated that his name was not available on the 'ERONET' portal even as of 01.09.2025. It is then stated that if it is made

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available, a decision can be taken accordingly. This ultimately affects the election because the petitioner is relying on his right to vote; therefore, in our opinion, it is covered under 'etc.'

6. We, therefore, direct the State Government to include these three matters also in the praecipe and to immediately move that the same may be taken up, especially for clubbing of the matters, as per the liberty that has been granted.

7. Place the matter for further consideration on 16.10.2025.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane