

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14116 OF 2025

Shri. Sandeep Maruti Raskar

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. Tanmay A. Deshmukh, Advocate for the Petitioner.

Mr. P. G. Sawant, AGP, for Respondent Nos. 1 & 2 /State.

Sachindra B. Shetye a/w Nipun Sawane, Advocates for the Respondent No.3.

CORAM: AMIT S. JAMSANDEKAR, JJ.

DATE: OCTOBER 24, 2025

(Vacation Court)

P. C.

1. The above praecipe has been moved for speaking to the Minutes of Order dated 22nd October 2025.

2. The learned AGP appearing on behalf of the Respondent Nos. 1 and 2 submitted that in the order dated 22nd October 2025, in the

appearance, the name of AGP is inadvertently not mentioned. Therefore, he is requested to add his appearance in the said order.

3. Let the name of Mr. P. G. Sawant, AGP, be added in the appearance for Respondent Nos. 1 and 2 /State in the order dated 22nd October 2025.

4. No other correction is sought. The correction shall be carried out in the original order as well as in the copy uploaded on the server.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[AMIT S. JAMSANDEKAR, J.]

For the sake of convenience the order dated 22nd October 2025 (as corrected) is reproduced hereunder:-

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.. Petitioner

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Mr. Tanmay A. Deshmukh, Advocate for the Petitioner.

Mr. P. G. Sawant, AGP, for Respondent Nos. 1 & 2 /State.

Sachindra B. Shetye a/w Nipun Sawane, Advocates for the Respondent No.3.

CORAM: AMIT S. JAMSANDEKAR, JJ.

DATE: OCTOBER 22, 2025

(Vacation Court)

P. C.

1. Heard the learned Counsel appearing for the Petitioner. By the present petition, the petitioner has challenged the order of the 2nd Respondent dated 13 October 2025. By the said order, the 2nd Respondent has rejected the Petitioner's Application for including his name in the draft voter list of Alandi Municipal Council. It is the case of the Petitioner that his name appeared in three electoral rolls, i) Alandi Municipal Corporation ii)

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Bhosari Assembly Constituency, Charcholi and iii) Khed Municipal Council. Mr. Deshmukh submitted that the Petitioner on 22nd November 2021 filed the required Form 7 seeking deletion of his name from the electoral rolls of Bhosari Assembly Constituency, Charcholi and Khed Municipal Council. However, the application made by the Petitioner on 22nd November 2021 is still pending, and as per the impugned order, the Petitioner's name has now been deleted from the electoral rolls of the Alandi Municipal Corporation constituency. Mr. Deshmukh submitted that in the past, the Petitioner had contested and won an election from the Alandi Municipal Corporation constituency. Therefore, the deletion of his name from the Alandi Municipal Corporation electoral roll is totally wrong. Further, he submitted that even his wife had contested the election from the Alandi Municipal Corporation constituency. He submitted that it is not a fault of the Petitioner that his name is included in the wrong electoral rolls. When the Petitioner noticed this error, the Petitioner promptly filed Form 7 on 22nd November 2021. He submitted that the final voter list will be published on 30th October 2025. Therefore, he requested that the constitutional right of the Petitioner be protected because he wishes to contest the election from the Alandi Municipal Corporation constituency.

2. Mr. Shetye, the learned Counsel appearing for the 3rd Respondent submitted that, the order impugned by the Petitioner in the present Petition is passed by the Election Commission of India. At present, the Election Commission of India and the Chief Electoral Officer are not parties to the Petition, and the Petitioner ought to make the Election Commission of India and the Chief Electoral Officer parties to the Petition. He further requested that the Respondents be allowed to file their replies before any relief is granted to the Petitioner.

3. Mr. Deshmuk submitted that to overcome the objection of Mr. Shetye he will amend the Petition and make the Election Commission of India and the Chief Electoral Officer as party Respondents. He sought leave to amend the Petition to add the Election Commission of India and the Chief Electoral Officer as party Respondents and to make consequential statements and take further ground in the Petition.

4. Accordingly, liberty is granted to the Petitioner to amend the Petition and add the Election Commission of India and the Chief Electoral Officer as party Respondents. Further, liberty is granted to make consequential amendments in the body of the Petition to add facts/grounds/submissions and prayers.

5. Amendment shall be carried out on or before 24th October 2025. A copy of the amended Petition shall be served by the Petitioner to the Respondent Nos. 1 to 3 and the added Respondent Nos. 4 and 5. All the Respondents shall file their reply on or before 24th October 2025, and a copy of the same shall be served on the Petitioner on or before 25th October 2025.
6. The matter be placed on board on 28th October 2025 for ad-interim relief.
7. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[AMIT S. JAMSANDEKAR, J.]