

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.15929 OF 2025

Prasad Ramakant ThakarePetitioner

Versus

The State of Maharashtra & Ors.Respondents

Mr. Meghshyam Narvekar a/w. Mr. B.H. Bharaskar for the
Petitioner.

Mr. P.P. Kakade, Addl. GP a/w. Ms. Priyanka Chavan, AGP for the
Respondent – State.

Mr. Sachindra B. Shetye a/w. Ms. Dhanashri Mondkar and
Ms. Vrushali Shivgan for Respondent No.4.

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 25th NOVEMBER, 2025

P.C. :-

1. This Petition has been filed today. A grave urgency was expressed while moving a praecipe for urgent circulation at 11:00 a.m. Considering the urgency, the matter was taken on the production board.

2. Leave to add the State Election Commission as Respondent No. 4. Addition be carried out forthwith.

3. Mr. Shetye, the learned Advocate causes an appearance on behalf of the newly added Respondent No.4.

4. The learned Advocate for the Petitioner submits that he is aware of the Full Bench judgment of this Court delivered in *Karmaveer Tulshiram Autade and Ors. v/s. State Election Commission, Mumbai and Ors.*¹ He is also aware that Section 21 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 provides for filing of an Election Petition if a Petitioner is aggrieved that his nomination form has been unjustifiably rejected.

5. He, however, voices a grievance that when he preferred an Appeal bearing No.1 of 2025 before the learned District Judge-1, Bhiwandi, the Wada Nagar Panchayat made a statement that the Petitioner had participated in a tender process and had been awarded a contract. He submits that this statement is palpably false. Though he had participated in the tender process, his tender was not accepted. He never got the contract and, therefore, there was no question of he having done any work for the Panchayat and having received remuneration under any contract.

6. He submits that if it is clarified in the order of this Court that the above aspect is kept open to be considered on its own

¹ 2021(2) Mh.L.J. 349

merits by the Court in the Election Petition, this Petition may be disposed off.

7. In view of the above, **this Petition is disposed off** with the observation that if the Petitioner prefers an Election Petition, all contentions of all the litigating parties are kept open, including the aspect as to whether the Petitioner had in fact received any contract through the tender process for which he had submitted a bid. All issues shall be considered on their own merits.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)