

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

WRIT PETITION NO. 16335 OF 2025

Vijay Bhika Kurhade	)	
S/o. Bhika Bhaga Kurhade	)	
Age: 44 years, Occupation: Advocate	)	
Residing at: 1690, Agar Mala,	)	
Khatkali Ale, Ale, Taluka: Junnar	)	
District: Pune, Maharashtra-412 411	)	
	)	... Petitioner

Versus

1. The State of Maharashtra	)	
2. The Principal Secretary	)	
The Maharashtra Legislative Assembly	)	
Vidhan Bahvan, Mumbai-400 032.	)	
3. The Hon'ble Speaker	)	
Maharashtra Legislative Assembly	)	
Vidhan Bahvan, Mumbai-400 032.	)	
4. Sharad Bhimaji Sonawane	)	
S/o Bhimaji Shankar Sonawane	)	
Age: 51 years, Occupation: Nil	)	
Residing at: Pimpalwandi (Chalakwadi)	)	
Taluka: Junnar, District: Pune,	)	
Maharashtra, Pin Code: 412 412	)	... Respondents

Dr. Veerendra Tulzapurkar, Senior Advocate a/w Mr. Mandar
Soman i/b Vishwajeet V. Mohite for the Petitioner.

Mr. O. A. Chandurkar, Addl. G.P. along with Mrs. R. A. Salunkhe,

A.G.P. for the Respondent No.1-State.

Mr. Amjith M. Anandhan a/w Mr. Rohan D. Kaiche, Mr. Dewang Mhatre i/b Mr. Sachin Ramrao Pawar for the Respondent Nos.2 and 3.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.**

DATE : 10th DECEMBER, 2025.

Judgement (Per Sandesh D. Patil, J) :

1. Heard learned Counsel for the parties.
2. **Rule.** Rule is made returnable forthwith with the consent of the parties and the Writ Petition is taken up for final disposal.
3. Mr. O. A. Chandurkar, Addl. G.P. along with Mrs. R. A. Salunkhe, A.G.P. appearing for the Respondent No.1-State waives notice on behalf of Respondent No.1-State. Mr. Amjith M. Anandhan a/w Mr. Rohan D. Kaiche, Mr. Dewang Mhatre i/b Mr. Sachin Ramrao Pawar, appearing for the Respondent Nos.2 and 3 waives notice on behalf of Respondent Nos.2 and 3.

4. By the present Writ Petition, the Petitioner seeks the following directions:

“ a. This Hon’ble Court may be pleased to issue a writ of mandamus or any other writ in the nature of mandamus and/or any other similar directions and/or orders as against the Respondent No.3 thereby directing to decide and dispose of the Disqualification Petition filed by the Petitioner in a stipulated time frame as directed by the Hon’ble Supreme Court in the case of Padi Kaushik Reddy Etc. vs. The State of Telangana and Ors in S.L.P (C) Nos.2353-54 of 2025;

b. This Hon’ble Court, in the alternative, may be pleased to issue a writ of certiorari or any other in the nature of certiorari and/or any other similar directions and/or orders as against the Respondent No. 2 thereby directing to call for the entire record and proceedings of the file being Disqualification Petition of 2025 filed by the Petitioner pending before the Respondent No. 3, and issue and pass necessary Orders and or Directions in the interest of justice;

c. Pending and hearing the final disposal of the present petition, this Hon’ble Court may be pleased to issue necessary orders and directions directing the Respondent No. 4 not to cause inordinate delay and drag the

adjudication of the Disqualification Petition;

5. The Petitioner has filed the Disqualification Petition on 15.05.2025 in the office of Respondent No.3 *inter alia* seeking disqualification of Respondent No.4. It is the case of the Petitioner that inspite of filing the Petition on 15.05.2025, the Respondent No.3 has not decided the same. The Petitioner states that it was incumbant upon the Respondent No.3 to decide the Disqualification Petition expeditiously in accordance with the law, as laid down by the Supreme Court in the case of ***Padi Kaushik Reddy Vs. The State of Telangana and Ors. [SLP (C) Nos.2353-54 of 2025]***.

6. The learned Counsel appearing for the Respondent No.3 states that due to ongoing winter session of the Assembly, the Respondent No.3 could not decide the Disqualification Petition filed by the Petitioner. He, states further that the Respondent No.3 would decide the Petition filed by the Petitioner

immediately after the winter session is over.

7. We have perused the judgment and order passed by the Apex Court whereby the Apex Court mentioned in the foregoing paragraphs had directed the Speaker to conclude the disqualification proceeding pending against the 10 MLAs as expeditiously as possible.

8. The Respondent No.3 is duty bound to decide the Disqualification Petition filed by the Petitioner. Keeping the said Disqualification Petition pending for a unusual by long period would frustrate the object of the Act. Hence, we dispose of the present Writ Petition by issuing the following directions:

ORDER

- (i) The Respondent No.3 to decide the Disqualification Petition filed by the

Petitioner against the Respondent No.4 in the office of the Respondent No.3 as expeditiously as possible and in any event within three months from the date of passing of this order.

(ii) **Rule** is made absolute in aforesaid terms.

(ii) Writ Petition No. 16335 of 2025 is disposed of accordingly.

9. All concerned parties to act on an authenticated copy of this Order.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)