

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

**REVIEW PETITION NO. 182 OF 2025
IN
WRIT PETITION NO. 16065 OF 2025**

Mohan Kotaiah Dasi @
D. Mohan

.. Review Petitioner

In the matter between:

Mohan Kotaiah Dasi @
D. Mohan

.. Petitioner

Vs.

State of Maharashtra & Ors.

.. Respondents

...

Ms. Minal Chandnani a/w Rajesh Ranglani a/w Khushboo Goklani
i/by Monish Bhatia, Advocates for the Review Petitioner.

Mrs. Neha S. Bhide, Government Pleader with Mr. O. A. Chandurkar,
Addl. Govt. Pleader with Mrs. G. R. Raghuwanshi, AGP for
Respondent-State.

Mr. Sachindra B. Shetye, Mr. Akshay Pansare & Ms. Vrushali
Shivgan, Advocates for Respondent-SEC.

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**CORAM : SHREE CHANDRASHEKHAR, CJ &
GAUTAM A. ANKHAD, J.**

DATE : 11th DECEMBER 2025.

P.C. :

The order dated 28th November 2025 passed in Writ Petition No. 16065 of 2025 has been put to challenge by Mohan Kotaiah Dasi @ D. Mohan who claims that he intended to contest the election from Ambarnath Municipal Council.

2. The writ Court referred to the decision in “*Election Commission of India v. Ashok Kukar & Ors.*” (2000) 8 SCC 216, the alternative and efficacious remedy of preferring the election petition and dismissed the writ petition observing as under: -

“9. Evidently, the Petitioner has an efficacious remedy of preferring an Election Petition after the results of elections are declared. At this juncture, having regard to the time sensitivity of the electoral process, the Court is not expected to intervene, as it would amount to interdicting the electoral process.

10. In the case of **Election Commission of India V/s. Ashok Kukar and Ors.**, a three Judge Bench of the Supreme Court has enunciated that if the challenge before the writ court has the effect of interrupting, obstructing or protracting the election programme in any manner, invoking the judicial remedy has to be postponed till after the proceedings in election.

11. In the case of **Karmaveer Tulshiram Autade and others V/s State Election Commission, Mumbai**, a Full Bench of this Court in the context of the provisions contained in Section 15 of the Maharashtra Village Panchayat Act, 1959 enunciated that sub-sections (1) and (2) of Section 15 of the said Act, if read together, were of wide import and would take within its fold a grievance raised against illegal, improper rejection of nomination paper. This proposition would also govern a case of improper acceptance of the nomination form. Resultantly, the petitioner, in a situation of the present nature, will have to work out his remedies by way of an election petition.”

3. As we understand, the rules of natural justice are not applied in the matters of election for municipal council where the timelines are provided under the statutory regime. Even otherwise, the issue is concluded by a judgment rendered in “*Karma Veer Tulshiram Autade v. State of Election Commission, Mumbai*” 2021 SCC OnLine Bom 37.

4. While so, we do not find any reason to interfere in this matter and accordingly Review Petition No. 182 of 2025 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]