



2-6855-2025

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 6855 OF 2025

(Shirish s/o Sheshrao Gode Vs. State of Maharashtra & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms Meena Hiwase, Counsel for the petitioner.
Mr. N.R. Rode, A.G.P. for respondent no.1/State.

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CORAM : ANIL L. PANSARE AND
RAJ D. WAKODE, JJ.
NOVEMBER 26, 2025

On previous date, following order was
passed :

“The petitioner has approached respondent no. 1 with a grievance that on 5-11-2025, he approached the office of Administrator i.e. Mr. Lanjewar at 2.00 p.m.. The petitioner requested for nomination paper. Mr. Lanjewar refused to give him nomination form. According to petitioner, the time to distribute nomination form was up to 3.00 p.m. Accordingly, he made a communication with respondent no. 1 saying that Mr. Lanjewar, who is Administrator, has misused his office by refusing to give him nomination form and that the Administrator has authorized one Mr. Dinesh Mathurkar to distribute nomination forms. Accordingly, the petitioner made a request to respondent no. 1 to inquire into the matter.

The petitioner in the petition for the first time is coming up with a case that Mr. Lanjewar is not Administrator but respondent no. 2 Mr. Vatane is the Administrator. As regards Mr. Lanjewar, the petitioner submits that he is Election Officer.

Considering the discrepancies in the communication made by the petitioner with respondent no. 1 and the modified version in the petition and further considering the fact

that petitioner alleges that he approached Mr. Lanjewar at 2.00 p.m., we are of the view that unless other side is heard as regards aforesaid details, no interim order should be passed. Learned Assistant Government Pleader shall take instructions. Kept back.

(JUDGE)

(JUDGE)

Later on

Learned Assistant Government Pleader submits that respondent no. 1 has commenced inquiry and has requested the petitioner to appear before him today.

Thus, it appears that respondent no. 1 has taken cognizance of the communication dated 5-11-2025 made by the petitioner. The cognizance, however, has been taken only after filing the petition. Nonetheless, since respondent no. 1 has taken up the issue, we hope that necessary orders will be passed by respondent no. 1 considering the schedule of election.

Stand over to 26-11-2025.”

2] The learned A.G.P. submits that respondent no.1 had, on 19/11/2025, issued a communication to the petitioner to approach the Court under Section 91 of The Maharashtra Co-operative Societies Act, 1960. He submits that since the said communication was already issued, separate order, in terms of what the Court has noted on 19/11/2025, has been not passed. He further submits, on instructions, that Mr. Lanjewar has informed respondent no.1 that he was in the office till 3:30 pm, and the petitioner did not turn-up by that time.

3] Thus, there are two theories, the petitioner states that he approached Mr. Lanjewar at 2:00 pm, as against, Mr. Lanjewar states that the petitioner did not

come to his office, at least, till 3:30 pm. There is no dispute that nomination form was to be distributed up to 3:00 pm.

4] That being so, it is difficult for the Court to decide the disputed question of fact in writ jurisdiction.

5] In the circumstances, we permit the petitioner to take recourse to the remedy as is available in law, and with such liberty, the petition is disposed of.

(JUDGE)

(JUDGE)

Sumit