



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

WRIT PETITION NO. 7311/2025

(SHAIKH MOHD. RAHIL MOHD. AQEEL **VERSUS** THE STATE OF MAHARASHTRA &
OTHERS)

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

Court's or Judge's order

Shri Anand Deshpande, counsel for the petitioner.

Shri N.S. Autkar, Assistant Government Pleader for the respondent no.1.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : NOVEMBER 26, 2025

Heard.

2. The petitioner's challenge is to the order dated 18.11.2025 passed by the respondent no.1-Returning Officer, Wardha, Municipal Council General Election-2025 and also the judgment and order dated 24.11.2025 passed by the District Judge-2, Wardha dismissing the Election Appeal No.3 of 2025.

3. The controversy involved in the petition is rejection of the nomination form of the petitioner for failure to submit Form-B.

4. The learned counsel for the petitioner has placed reliance on Circular-Order dated 18.11.2025 to submit that on failure of the candidate to submit Form-B, his candidature ought to have been considered as an independent candidate. He submits that the nomination form is otherwise complete in all respects and he ought to have been considered as an independent candidate.

5. On this precise point, the learned Assistant Government Pleader for the respondent no.1-Returning Officer states that the nomination form of the petitioner having five proposers can be considered as an independent candidate and in this regard a Pursis dated 26.11.2025 signed by the respondent no.1 is placed on record. Considering the statement made by the respondent no.1 in Pursis dated 26.11.2025 that the respondent no.1 is ready to consider the nomination form of the petitioner as an independent candidate for failure to submit Form-B, the grievance of the petitioner does not survive.

6. Having regard to these aspects, the writ petition is disposed of. It is clarified that this order deals with the issue of rejection of nomination form of the petitioner for failure to submit Form-B. Needless to state that if the petitioner has complied with other conditions, he is entitled to contest the election as an independent candidate. No order as to costs.

7. Authenticated copy of this order be supplied to the learned counsel for the petitioner.

(PRAFULLA S. KHUBALKAR, J.)