



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.4043 OF 2026

Rakhmaji Dayanand Gadade

VERSUS

The State of Maharashtra through District Collector Dharashiv
and others.

...

Advocate for Petitioner : Mr. G.J. Kore

AGP for Respondents: Mr. S.N. Kendre

Advocate for Respondent no.4 :Mr. Ajinkya Reddy-caveator

...

AND

WRIT PETITION NO.4041 OF 2026

Lata Nehru Bandgar

VERSUS

The State of Maharashtra through District Collector Dharashiv
and others.

...

Advocate for Petitioner : Mr. G.J. Kore

AGP for Respondents: Mr. S.N. Kendre

Advocate for Respondent no.3 :Mr. Sachindra Shetye

...

and

WRIT PETITION NO.4042 OF 2026

Balaji Bapurao Lakade

VERSUS

The State of Maharashtra through District Collector Dharashiv
and others.

...

Advocate for Petitioner : Mr. G.J. Kore

AGP for Respondents: Mr. S.N. Kendre

Advocate for Respondent no.4 :Mr. Ajinkya Reddy-caveator

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : April 17, 2026

PER COURT :-

1. Not on board. Upon mentioning, taken on board.
2. Present writ petitions takes exception to the order passed by the Returning Officer thereby rejecting nominations of the petitioner/s at the election of Sarpanch of Grampanchayat Manewadi, Tq. Tuljapur, District Dhavashiv.
3. Learned counsel appearing for the respondents invites attention of this Court to the Full Bench decision in case of **Karmaveer Tulshiram Autade and others Vs. State Election Commission, Mumbai and others Reported in 2021 (2) Mh.L.J. 349** wherein following observations are made :-

“60. We repeat, a reading of the decision in [Ashok Kumar](#) (supra) reveals that [Mohinder Sing Gill](#) (supra) amplified [N.P. Ponnuswami](#) (supra) rather than disagreeing therewith or dissenting therefrom or in any manner doubting the same. Insofar as rejection of a nomination form by the Returning Officer and challenge to such decision during the process of election before the High Court under 226 of the Constitution are concerned, where [Article 329\(b\)](#) is attracted, [N.P. Ponnuswami](#) (supra) is the decision which holds the field and binds us. The bar of [Article 243- O\(b\)](#), on the same analogy, would spring in as and when the High Court is approached under [Article 226](#) of the Constitution and urged to examine whether nomination form has been rejected in accordance with law in respect of an election

covered by Part IX of the Constitution. Whatever be the reason for rejection of nomination, its quality sub-standard or otherwise is neither material nor relevant when the challenge is laid at an intermediate stage of the election by an intending candidate seeking orders from the Court to participate in the election though the Returning Officer has rejected his nomination. We hold so in view of the Court in [N.P.Ponnuswami](#) (supra) not even considering it necessary to refer to the grounds of rejection of the nomination paper of the appellant in view of the clear enunciation of law that the law of election does not contemplate an intermediary challenge when, by law, a forum is constituted and made available by any statute for resolution of an election dispute which would take within its fold validity of an election challenged on the ground of improper rejection of the nomination paper.”

4. In light of aforesaid exposition of law, this Court finds that there is no reason to entertain present writ petitions particularly, when elections are at the advanced stage after withdrawal of the nominations.

5. In result, writ petitions stand **disposed of** with liberty in favour of the petitioner/s to take up the appropriate remedy as provided under law to raise his grievances before the appropriate Forum.

(S. G. CHAPALGAONKAR, J.)

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