

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

**WRIT PETITION NO.655 OF 2026**

Avinash Anant Jadhav

.. Petitioner

Vs.

The State of Maharashtra and Anr.

.. Respondents

Mr. Asim Sarode (through V.C.) with Mr. Vikrant Khare, Advocates, i/by Asim Sarode & Associates, for the Petitioner.

Mrs. Neha S. Bhide, Government Pleader, with Mrs. G.R. Raghuwanshi, Assistant Government Pleader for Respondent No.1-State of Maharashtra.

Mr. Irfan Shaikh with Mr. Akshay Pansare, i/by Mr. S.B. Shetye, Advocates for Respondent No.2-State Election Commission.

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

**DATE : 14<sup>TH</sup> JANUARY 2026.**

**[ THROUGH HYBRID HEARING ]**

**P.C. :**

Not on Board. Upon mentioning, taken up for hearing along with Public Interest Litigation No.4 of 2026 which is listed on today's Board.

2. Making incorrect statement in the morning that this writ petition is identical to Public Interest Litigation No.4 of 2026, Mr. Vikrant Khare, the learned counsel for the petitioner requested for production of this writ petition. However, when this writ petition is taken up for hearing, Mr. Asim Sarode, the learned counsel who joined the Court proceedings in virtual mode states that this writ petition is not similar but relating to elections.

3. In this writ petition, the petitioner is seeking a time-bound

independent inquiry into the circumstances of the withdrawal of candidate in the municipal elections. The petitioner is also seeking an order staying the official notification for publishing the results of the municipal elections pending such an inquiry. The petitioner is seeking a further direction to the State Government to formulate a “legislation” and amend the Maharashtra Municipal Corporations Act, 1949 to include a specific provision for minimum vote share for the candidates who are elected unopposed.

4. Without adverting to the facts stated in this writ petition, we hold that the prayers made in this writ petition cannot be granted. No inquiry can be conducted at the instance of a person who does not say that he was prevented from filing his nomination or contesting the elections. Even that situation can be looked into by the appropriate authority and not by the writ Court and that person could have remedy else where.

5. Writ Petition No.655 of 2026 is dismissed.

**[ GAUTAM A. ANKHAD, J. ]**

**[ CHIEF JUSTICE ]**