

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2422 OF 2026

Ravindra Shivram Adagale	... Petitioner
V/s.	
Dinanath Kale, Returning Officer & Ors.	... Respondents

Mr. Saurav N Katkar with Mr. Amar D. Parsekar, for the
Petitioner.

Mr. Y. D. Patil, AGP, for the State – Respondent No.26.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 18, 2026

P.C.:

1. Despite the mandate of Section 154(2A) of the Maharashtra Cooperative Societies Act, 1960 to decide an appeal against rejection of a nomination paper within ten days from the date of filing, the appeal filed on 4 February 2026 has not been decided by respondent No. 25 within the prescribed statutory period. The object of prescribing a period of ten days is to ensure expeditious adjudication of the validity of the order passed by the Returning Officer. By failing to decide the appeal within the statutory period, the Appellate Authority has rendered the statutory mandate pointless.

2. It is submitted that the Appellate Authority heard the parties on 9 February 2026. However, the appeal has not been decided nor has any judgment been delivered till date.

3. Respondent No. 25 shall file a personal affidavit explaining the reasons for not deciding the appeal within the statutory period. He shall further explain why action in the nature of a departmental enquiry, as contemplated in the judgment of the Supreme Court in *Union of India & Ors. v. K. K. Dhavan*, (1993) 2 SCC 56, should not be initiated against him.
4. Since 19 February 2026 is a holiday, the Appellate Authority – respondent No. 25 shall decide the appeal on or before 20 February 2026 and furnish a copy of the judgment to the petitioner on the same day.
5. The Returning Officer shall not publish the final list of validly nominated candidates until 28 February 2026.
6. List the petition for compliance on **23 February 2026**.
7. Respondent No. 25 shall file his affidavit-in-reply on or before **20 February 2026**.
8. The writ petition stands disposed of. No order as to costs.

(AMIT BORKAR, J.)