

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

WRIT PETITION NO.4137 OF 2026

Maharashtra Sahitya Parishad, Pune	]	
Through its Executive President,	]	
1. Prof. Milind Govindrao Joshi	]	
2. Smt. Sunitaraje Kisan Pawar	]	
3. Vinod Suryanarayan Kulkarni	]	.. Petitioners
Versus		
1. Pratap Vasantsingh Pardeshi,	]	
Chief Election Officer,	]	
Maharashtra Sahitya Parishad, Pune	]	
2. Girish Kemkar,	]	
Joint Election Officer,	]	
Maharashtra Sahitya Parishad, Pune	]	
3. Sanjiv Khadke,	]	
Joint Election Officer,	]	
Maharashtra Sahitya Parishad, Pune	]	.. Respondents

Mr. Nikhilesh Pote, Advocate for the Petitioners.

Mr. Abhishek R. Avachat with Mr. S.H. Deshpande, i/by
Mr. Majhar Mujawar, Advocates for Respondent No.1.

Mr. Pralhad Paranjape with Mr. Rahul Punjabi, Mr. Ishan Shroff
and Mr. Saket Tare, Advocates for Respondent Nos.2 and 3.

Mr. Manish Kelkar, Advocate for the Intervenor.

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

DATE : 1ST APRIL 2026.

P.C. :

The petitioner – Maharashtra Sahitya Parishad, Pune, a Charitable Trust, represented through its Executive President, namely, Prof. Milind Govindrao Joshi and two individuals, namely, Smt. Sunitaraje Kisan Pawar engaged in business and Shri Vinod Suryanarayan Kulkarni engaged in service have filed this writ petition questioning the Election results dated 15th March 2026 by

which the Office Bearers of the Charitable Trust for a term of five years have been declared.

2. Mr. Nikhilesh Pote, the learned counsel for the petitioners submits that it is *prima facie* evident that the Election results dated 15th March 2026 were illegal and therefore this Court in exercise of the jurisdiction under Article 226 of the Constitution of India can interfere with the Election results. Serious objection to the maintainability of this writ petition has been raised by Mr. Abhishek Avachat, the learned counsel for the respondent no.1 and Mr. Pralhad Paranjape, the learned counsel for the respondent nos.2 and 3.

3. Mr. Avachat, the learned counsel for the respondent no.1 refers to a decision in Writ Petition No.5660 of 2018 titled “*Suersh Shamrao Jadhav alias Suraj Sharma Jadhav v. The Assistant Charity Commissioner & Ors.*” and submits that the present writ petition is not maintainable and the petitioner nos.2 and 3, if at all they have any grievance, can approach the Charity Commissioner in appropriate proceedings. Mr. Paranjape, the learned counsel for the respondent nos.2 and 3 has also raised a question on maintainability of this writ petition on the ground that the writ petition involves serious disputed questions of fact which can be adjudicated before the Charity Commissioner.

4. Besides these objections, we are of the opinion that the Charitable Trust which has been made petitioner no.1 in the present writ petition shall have no locus to challenge the Election results declared on 15th March 2026 on such grounds which are narrated in this writ petition.

5. Faced with these objections, the learned counsel for the petitioners submits that a direction may be issued to the Charity Commissioner to expedite the matter when a Change Report is moved before the Charity Commissioner. We are, however, not inclined to grant any indulgence on such a prayer simply for the reason that there may be similar other petitions pending before the Charity Commissioner and any order of expediting a decision in this matter would seriously prejudice the rights of the parties in other petitions.

6. Writ Petition No.4137 of 2026 is not maintainable in view of the alternative remedy and is dismissed as such.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]