

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

**PUBLIC INTEREST LITIGATION NO.10 OF 2026
[PUBLIC INTEREST LITIGATION (STAMP) NO.2598 OF 2026]**

Dajiram Govind Katare,]
R/o. Katarewadi, Ghanand,]
Tal. Atpadi, Dist. Sangli] .. Petitioner

Versus

1. The Election Commission of India,]
New Delhi]
2. The State Election Commission,]
Maharashtra]
3. The State of Maharashtra,]
Through Rural Development and]
Panchayat Raj Department, Mumbai]
4. The District Collector, Sangli]
5. The District Collector, Satara]
6. The District Collector, Solapur]
7. The District Collector, Pune]
8. The District Collector, Kolhapur] .. Respondents

Mr. Manish Kelkar, Advocate for the Petitioner.

Mr. Sachindra B. Shetye with Mr. Akshay Pansare, Advocates for Respondent No.2.

Mrs. Neha S. Bhide, Government Pleader with Mr. O.A. Chandurkar, Additional Government Pleader and Mrs. G.R. Raghuwanshi, Assistant Government Pleader for Respondent Nos.3 to 8.

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

DATE : 28TH JANUARY 2026.

P.C. :

Not on Board. Upon mentioning, taken on Production Board.

2. Through this Public Interest Litigation, the petitioner seeks a direction for shifting the date of elections from 5th February 2026 to 6th February 2026.

3. The learned counsel for the petitioner states that there have been past precedents where the date of election has been shifted to accommodate the local people on account of festivities falling on the date of election. In support of his submissions, the learned counsel for the petitioner relied upon the judgment rendered by the Hon'ble Supreme Court in "*Rahul Wagh v. State of Maharashtra*"¹.

4. In the election matters, the dates for election procedure and the date of election are fixed by the State Election Commission in exercise of the statutory and constitutional powers. The writ Court has no powers to issue a direction for shifting of date of election which shall amount to obstructing and delaying the scheduled election to be held at a fixed date. It is settled law, as held by the Hon'ble Supreme Court in "*Lakshmi Charan Sen v. A.K.M. Hassan Uzzaman*"² that High Court should not pass any orders, interim or otherwise, which has tendency or effect of postponing an election, which are imminent.

5. Public Interest Litigation No.10 of 2026 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

1 *Special Leave Petition (Civil) No.19756 of 2021*

2 *(1985) 4 SCC 689*