

*btp*

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL PIL CJ-LD-VC-48 OF 2020

ARCHANA DESHMUKH ..PETITIONER  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. Prashant Kenjale for the petitioner.  
Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

Mr. Ajit Kadethankar for State Election Commission.

.....

O.S. AD-HOC-NO. WP-LD-VC-187 OF 2020

VIDYADHAR MOKAL & ORS. ..PETITIONERS  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. Shyam Dewani a/w. Mr. Chirag Chanani & Mr. Vinay Kumar i/b. Dewani Associates.  
Mr. A.A. Kumbhakoni, AG a/w. Mr. A.M. Kulkarni, 'B' Panel, Ms. Geeta Shastri, AGP-State.

Mr. Ajit Kadethankar for State Election Commission.

.....

CIVIL WP-ASDB-LD-VC-188 OF 2020

VILAS KUNJIR & ANR. ..PETITIONERS  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. G.S. Godbole i/b. Shivani Samel a/w. Deepashikha Godbole for the petitioners.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Mr. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

### CIVIL WP-ASDB-LD-VC-189 OF 2020

PRADEEP HULAWALE & ANR. ..PETITIONERS

VS.

STATE OF MAHARASHTRA ..RESPONDENTS

-----

Shri Milind Sathe, Senior Advocate a/w. Manish Kelkar and Pralhad Paranjape for petitioners.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

-----

### CIVIL WP-ASDB-LD-VC-268 OF 2020

HARSHADA ARUN BHAMRE ..PETITIONER

VS.

STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. G.S. Godbole i/b. Shivani Samel a/w. Deepashikha Godbole for the petitioner.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3463 OF 2020  
(transfer from Aurangabad Bench)**

ANIL SALVE ..PETITIONER  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

Shri Devdatta Palodkar for the petitioner.  
Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP Akshay  
Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent –  
State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3454 OF 2020  
(transfer from Aurangabad Bench)**

LAXMI UMAP & ANR. ..PETITIONERS  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

None for the petitioners.  
Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay  
Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent –  
State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3442 OF 2020  
(transfer from Aurangabad Bench)**

VIJAY AHER ..PETITIONER  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. Ravindra Gore for the Petitioner.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3468 OF 2020  
(transfer from Aurangabad Bench)**

LABESH AUTI ..PETITIONER

VS.

STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. V. R. Dhorde for the Petitioner.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3469 OF 2020  
(transfer from Aurangabad Bench)**

DURGESHWARI KALE ..PETITIONER

VS.

STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. V D Salunke for the petitioner.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3466 OF 2020  
(transfer from Aurangabad Bench)**

VARSHARANI MANE ..PETITIONER  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. Balaji Yenge for the petitioner.  
Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3464 OF 2020  
(transfer from Aurangabad Bench)**

RANJANA BORULE ..PETITIONER  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. Balaji Yenge for the petitioner.  
Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL PIL NO. 34 OF 2020  
(transfer from Aurangabad Bench)**

SARPANCH PARISHAD ..PETITIONER  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. Nitin Gawre for the petitioner.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3467 OF 2020  
(transfer from Aurangabad Bench)**

NARENDRA KHAIRNAR ..PETITIONER

VS.

STATE OF MAHARASHTRA ..RESPONDENT

.....

Ashwin Hon. for the petitioner.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3465 OF 2020  
(transfer from Aurangabad Bench)**

DAUD BIRADAR ..PETITIONER

VS.

STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. S.S. Thombre for the petitioner.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

**CIVIL WRIT PETITION NO. 3427 OF 2020  
(transfer from Aurangabad Bench)**

MANIK WAGHMODE ..PETITIONER  
VS.  
STATE OF MAHARASHTRA ..RESPONDENT

.....

Mr. Balaji Yenge for the petitioner.  
Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent – State.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3344 OF 2020  
(transfer from Aurangabad Bench)**

VIVEK PARJANE ...PETITIONER  
VS.  
STATE OF MAHARASHTRA ...RESPONDENT

.....

Mr. V.R. Dhorde  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3350 OF 2020  
(transfer from Aurangabad Bench)**

THE GRAMPANCHAYAT PADHEGAON  
THROUGH SARPANCH ...PETITIONER  
VS.  
STATE OF MAHARASHTRA ...RESPONDENT

.....

Mr. V D Salunke for the petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

.....

**CIVIL WRIT PETITION NO. 3364 OF 2020  
(transfer from Aurangabad Bench)**

MANISHA DHAMANE & OTHERS ...PETITIONERS  
VS

STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. S S Thombre for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...

**CIVIL WRIT PETITION NO. 3461 OF 2020  
(transfer from Aurangabad Bench)**

FATRODDIN BALDUNDE ...PETITIONER

VS

STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. Balaji Yenge for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...



**CIVIL WRIT PETITION NO. 3460 OF 2020**  
**(transfer from Aurangabad Bench)**

PRASHANT PAWAR ...PETITIONER  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

None for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...

**CIVIL WRIT PETITION NO. 3458 OF 2020**  
**(transfer from Aurangabad Bench)**

VISHNU BARVE ...PETITIONER  
VS  
UNION OF INDIA ...RESPONDENT

...

Mr. Sachin Deshmukh i/b. Mr. Majid Khan for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...

**CIVIL WRIT PETITION NO. 3462 OF 2020**

SARPANCH GRAM SANSAND  
MAHA SANGHA ..PETITIONERS  
VS.  
STATE OF MAHARASHTRA ..RESPONDENTS

**ALONG WITH**

**CIVIL APPLICATION STAMP NO.12523 OF 2020  
(Aurangabad Bench) (INTERVENOR)  
IN  
CIVIL WRIT PETITION NO. 3462 OF 2020**

SHARAD S/O KALYANRAO JADHAV ..APPLICANT  
VS.  
STATE OF MAHARASHTRA ..RESPONDENTS

**ALONG WITH  
INTERIM APPLICATION NO. 2 OF 2020 (Not on Board)  
IN  
WRIT PETITION NO. 3462 OF 2020**

SARPANCH GRAM SANSAND  
MAHA SANGHA ..APPLICANTS  
VS.  
STATE OF MAHARASHTRA ..RESPONDENTS

-----  
Shri S B Talekar a/w. Madhavi Ayyappan i/by Talekar & Associates  
for petitioners and applicants in IA No. 2 of 2020.

Mr. A.A. Kumbhakoni, AG a/w. Mr. P.P. Kakade, GP a/w. Akshay  
Shinde, 'B' Panel a/w. Ms. Nisha Mehra, AGP for the respondent –  
State.

**Mr. Ajit Kadethankar for State Election Commission.**

Mr. Sandip Andhale for the applicant in Civil Application St. No.  
12523 of 2020.

Mr. Shivaji Shelke for Respondent No. 3.  
-----

**CIVIL WRIT PETITION NO. 3456 OF 2020  
(transfer from Aurangabad Bench)**

THE GRAMPANCHAYAT  
THROUGH ITS SARPANCH & OTHERS ...PETITIONERS

VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. Ashwin Hon for the Petitioner.  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

...

**CIVIL WRIT PETITION NO. 3459 OF 2020  
(transfer from Aurangabad Bench)**

GRAMPANCHAYAT DHALEGAON ...PETITIONER  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

None for the Petitioner.  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

...

**CIVIL WRIT PETITION NO. 3455 OF 2020  
(transfer from Aurangabad Bench)**

GRAMPANCHAYAT VIDALI B.K.  
& OTHERS ...PETITIONERS  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. S S Thombre for the Petitioner.  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

...

**CIVIL WRIT PETITION NO. 3453 OF 2020  
(transfer from Aurangabad Bench)**

SUNIL MALI ...PETITIONER  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

None for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

...

**CIVIL WRIT PETITION NO. 3317 OF 2020  
(transfer from Aurangabad Bench)**

RAMESHWAR KHARAT ...PETITIONER  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

None for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

...

**CIVIL WRIT PETITION NO. 3375 OF 2020  
(transfer from Aurangabad Bench)**

UTTAMBAI PADILE ...PETITIONER  
VS

STATE OF MAHARASHTRA

...RESPONDENT

...

Mr. Balaji Yenge for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

...

**CIVIL WRIT PETITION NO. 3457 OF 2020  
(transfer from Aurangabad Bench)**

DAUD BIRADAR

...PETITIONER

VS

STATE OF MAHARASHTRA

...RESPONDENT

...

Mr. S S Thombre for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

...

**CIVIL WRIT PETITION NO. 3322 OF 2020  
(transfer from Aurangabad Bench)**

VASANT KARMUDE & OTHERS

...PETITIONERS

VS

STATE OF MAHARASHTRA

...RESPONDENT

...

None for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

...

**CIVIL WRIT PETITION NO. 3394 OF 2020**  
**(transfer from Aurangabad Bench)**

MAHANANDA MURALE ...PETITIONER  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. Balaji Yenge for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...

**CIVIL WRIT PETITION NO. 3416 OF 2020**  
**(transfer from Aurangabad Bench)**

SHIVNATH KHILARI ...PETITIONER  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. V. R Dhorde for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...

**CIVIL WRIT PETITION NO. 3424 OF 2020**  
**(transfer from Aurangabad Bench)**

SANDEEP JADHAV ...PETITIONER  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. V. R. Dhorde for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...  
**CIVIL WRIT PETITION NO. 3474 OF 2020**  
**(transfer from Nagpur Bench)**

SUNITA CHINCHURKAR

...PETITIONER

VS

STATE OF MAHARASHTRA

...RESPONDENT

...  
Mr. S.D. Dharmadhikari Senior Advocate i/b. Mr. Nandesh Despande a/w. Mr. Uday Dable for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...  
**CIVIL LDVC-CW NO. 688 OF 2020**  
**(transfer from Nagpur Bench)**

MANISHA INGLE

...PETITIONER

VS

STATE OF MAHARASHTRA

...RESPONDENT

...  
None for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

**CIVIL LDVC-CW- NO. 641 OF 2020**  
**(transfer from Nagpur Bench)**

HARISH DHAWAS & OTHERS ...PETITIONERS  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. Anand Deshpande a/w. Mr. Kalyan Kumar for the Petitioner.  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay  
Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the  
Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...

**CIVIL LDVC-CW-NO. 589 OF 2020**  
**(transfer from Nagpur Bench)**

DR. ANIL BONDE ...PETITIONER  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

None for the Petitioner.  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay  
Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the  
Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...

**CIVIL LDVC-CW-NO. 599 OF 2020**  
**(transfer from Nagpur Bench)**

SARPANCH SEVA MAHASANGH ...PETITIONER  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. Sandeep Nadeshwar a/w Nihal B. Rathod for the Petitioner.



Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

...

**CIVIL LDVC-CW- NO. 607 OF 2020  
(transfer from Nagpur Bench)**

KIRAN DONGRE & OTHERS ...PETITIONERS  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. Amit Band & Mr. Harnish Gadhia for the Petitioner.  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

**CIVIL WRIT PETITION NO. 3502 OF 2020  
(transfer from Aurangabad Bench)**

JYOTI GHUGE & OTHERS ...PETITIONERS  
VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. S S Thombre for the Petitioners.  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

**Mr. Ajit Kadethankar for State Election Commission.**

**CIVIL WRIT PETITION NO. 3503 OF 2020  
(transfer from Aurangabad Bench)**

VIJAYA W/O PRALHAD TAGARE ...PETITIONER

VS  
STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. Balaji Yenge for the Petitioner.  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

...

**CIVIL WRIT PETITION NO. 3504 OF 2020  
(transfer from Aurangabad Bench)**

SARPANCH SEVA SANGH  
THROUGH BABASAHEB PAVASE ...PETITIONERS

VS

STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. S S Thombre for the Petitioners.  
Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

**CIVIL WP ASDB-LDVC- 277 OF 2020**

VILAS KUNJIR ...PETITIONER

VS

STATE OF MAHARASHTRA ...RESPONDENT

...

Mr. G.S. Godbole i/by Ms. Deepashikha Godbole and Ms Shivani Samel for the Petitioner.

Mr. A A Kumbhakoni, AG a/w. Mr. P P Kakde, GP a/w. Akshay Shinde, 'B' Panel a/w, Ms. Nisha Mehra, AGP for for the Respondent.

Mr. Ajit Kadethankar for State Election Commission.

**CORAM : S.S.SHINDE &  
M.S.KARNIK, JJ.**

**DATE : AUGUST 14, 2020.**

**P.C.:-**

1. It is informed that in some of the Writ Petitions the notices have not been issued.

2. Hence issue notice to the Respondents in the Writ Petitions in which notices have not already been issued, returnable on 24.08.2020.

3. In addition to service of notice through Court, the Petitioners shall serve a private notice by Registered Post A.D. and/or by Courier service and/or by hand delivery or by e-mail/fax on the Respondents and shall file affidavit of service with tangible proof before the returnable date.

4. Shri. P P Kakade, learned Government Pleader, waives service of notice on behalf of Respondents /State and its officials. Mr. Ajit Kadethankar waives service of notice on behalf of State Election Commission.

5. Heard learned counsel for the respective parties. Mr. Milind Sathe, the learned Senior Advocate, appearing for the Petitioners in Writ Petition No.189 of 2020 argued the matter for some time. He invited our attention to the provisions of the Maharashtra Village Panchayats Act, 1959 as also Article 243(f) of the Constitution of India, and submitted that the State Government would not be justified in appointing any private person as an Administrator.

6. Mr. S. B. Talekar, the learned counsel appearing for the Petitioners in some of the Petitions, appreciated the statement made by learned Advocate General that appointment of Administrator/Administrators will be from four categories of officers mentioned in Paragraph 51 (b) of the affidavit in reply filed by Respondent-State. Over and above this he submitted that the State Government may be directed to appoint Gram Sevak of the Gram Panchayat as an Administrator.

7. Mr. Hon, the learned senior Advocate appearing for the Petitioners in Writ Petition No.3467 of 2020, appreciates the stand taken by the learned Advocate General that the Panchayats, whose term has already expired, expiring today or hereinafter, the Government will appoint the Administrator from the four categories of the officers mentioned in paragraph 51(b) of the affidavit in reply filed by the Respondents-State. Over and above this, he submits that at the same time the officers from other departments may be considered for the appointment as Administrator/Administrators. He further submitted that the State Government should also consider appointment of Gram Sevak as an Administrator.

8. Mr. G S Godbole, the learned counsel appearing for the Petitioners in Writ Petition Nos.188 of 2020, 268 of 2020 and 277 of 2020 adopted the arguments advanced by the learned Senior Advocate Mr. Hon and submitted that the State Government can also consider the officers from other departments

for the appointment of Administrator on the Gram Panchayats, whose terms has already expired, expiring today or hereinafter.

9. Mr. S S Thombre, learned counsel appearing for the petitioner in Writ Petition Nos. 3465 of 2020, 3364 of 2020, 3455 of 2020, 3457 of 2020, 3502 of 2020 and 3504 of 2020 submitted that, erstwhile members of the Gram Panchayats i.e. Sarpanch and Upsarpanch may be appointed as the Administrators, since they were elected by the villagers. According to him there is no harm if they are continued as the Administrator/Administrators till the next election.

10. Mr. V D Salunke learned counsel appearing for the petitioner in Writ Petition No. 3469 of 2020 and 3350 of 2020 joins the prayer of learned counsel Mr. S S Thombre. He would urge that petitioners are not responsible for the delay in holding Panchayat election in view of today's situation arising due to Covid-19 Pandemic and therefore, they may be appointed as Administrator/Administrators to look after the Gram Panchayat

till fresh elections.

11. Mr. Sandip Andhale learned counsel appearing for the applicant in Civil Application Stamp No. 12523 of 2020 submitted that, the State Government may consider the appointment of Advocates as Administrator/Administrators to look after the affairs of Gram Panchayat till the next election.

12. Mr. Balaji Yenge learned counsel appearing for the Petitioners in some of the writ petitions adopted the arguments advanced by the learned counsel Mr. S S Thombre and Mr. V D Salunke and submitted that, the State Government may consider appointing the earlier elected body as Administrator/Administrators to look after the affairs of the Gram Panchayats whose term has already expired, expiring today or hereinafter.

13. Mr. Devdatt Palodkar and other advocates appearing for the Petitioners in their respective petitions have joined the prayer of Mr. Talekar and also other advocates who argued that, instead of appointing any private person, the officers from the State Government Department and/or Gram Sevak may be considered for the appointment as Administrator/Administrators of the Gram Panchayats.

14. Mr. Nitin Gawre, the learned counsel appearing for the Petitioner in Civil PIL No.34 of 2020 submitted that in addition to four categories of the officers which are mentioned in Paragraph 51(b) of the affidavit in reply filed by the State Government, the State Government should also consider appointing the Gram Sevak as an Administrator.

15. Mr. A A Kumbhakoni, the learned Advocate General i/by Mr. P P Kakade, the learned Government Pleader for the Respondents/State, keeping in view the averments in paragraph



51(b) of the affidavit in reply filed by the State Government, makes a statement on instructions that in respect of the Gram Panchayats whose term has already expired, going to expire today or hereinafter, one of the officers from the four categories i.e. the Extension Officer (Agriculture), Extension Officer (Health), Extension Officer (Education), Extension Officer (Panchayat) will be appointed as an Administrator/Administrators and no private person will be appointed as an Administrator. The statement made by learned Advocate General is accepted.

16. Mr. Ajit Kadethankar for State Election Commission in all the Writ Petitions supports the aforesaid statement made by the learned Advocate General.

17. We have heard the learned counsel for the respective parties only for the limited purpose i.e. to consider the prayer of the State Government to allow it to appoint an Administrator/Administrators from four categories of the officers

mentioned in paragraph 51(b) of the affidavit in reply filed by the State Government. After hearing the learned counsel for the respective parties we are of the opinion that the statement made by the learned Advocate General is fair and reasonable. The State Government is permitted to go ahead with the appointment of the Administrator from the four categories which are mentioned in paragraph 51(b) of the affidavit in reply to those Gram Panchayats whose term has already expired, expiring today or in near future. The State Government may consider the suggestions given by some of the learned counsel for the Petitioners to appoint even Gram Sevak as an Administrator. The State Government may also consider, keeping in view the convenience of the State Administration, to appoint officers from other State Departments. However, we make it clear that, it is open for the State Government to consider appointing the Gram Sevak and officers from other departments as an Administrator, and we may not be understood to have expressed any opinion in this regard. This is merely by way of a suggestion for consideration of the State

Government. We also make it clear that the State Government will abide by the statement made by the learned Advocate General before this Court and will strictly adhere to the averments made in paragraph 51(b) of the affidavit in reply filed by the State Government, and will not appoint any private person as an Administrator/Administrators on the Gram Panchayats whose term has already expired, expiring today or in near future.

18. So far as the contention raised by the learned counsel Mr. S S Tombre, Mr. V D Salunke and Mr. Balaji Yenge that the elected members of the Gram Panchayat whose terms has expired be considered for the appointment of the Administrator on Gram Panchayat, is concerned, we propose to hear them at length on next date of hearing, and after hearing all the stakeholders, we will pass appropriate orders.

19. This interim arrangement shall operate until further orders. We further make it clear that, any appointments made in terms of the order passed today shall be subject to the outcome of

the petitions.

20. Liberty is granted to all petitioners to file rejoinder/rejoinders on before next date. The learned counsel appearing for the respective parties in all the petitions are permitted to file precise notes of arguments.

21. In Civil Writ Petition No. 3474 of 2020 (Smt. Sunita W/o. Bhaskar Chnchurkar and another Vs. State of Maharashtra, Through its Chief Secretary, Mantralaya, Mumbai and others) the learned Advocate General insisted for vacating the interim order dated 23<sup>rd</sup> July 2020 passed by the Division Bench of this Court bench at Nagpur (Coram:- Sunil B. Shukre And N.B. Suryawanshi, JJ.).

Learned Senior Counsel Mr. S.D. Dharmadhikari appearing for the Petitioner on instructions submits that, he has no objection if the order dated 23<sup>rd</sup> July 2020 is vacated.

In view of the consensus arrived between the learned Advocate General and learned Senior counsel for the Petitioners

and the subsequent development occurred after passing the said interim order, the said order has rendered inconsequential. In that view of the matter, the order dated 23<sup>rd</sup> July 2020 stands vacated.

22. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

(M.S.KARNIK, J.)

(S.S.SHINDE, J.)