

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

WRIT PETITION NO.11880 OF 2025

Dnyanoba Bhiva Kamble

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

WITH

WRIT PETITION NO.11477 OF 2025

WRIT PETITION NO.11878 OF 2025

WRIT PETITION NO.12216 OF 2025

WRIT PETITION (STAMP) NO.33340 OF 2025

WRIT PETITION NO.13371 OF 2025

WITH

INTERIM APPLICATION (ST) NO.33915 OF 2025

WRIT PETITION NO.13515 OF 2025

WRIT PETITION (STAMP) NO.33740 OF 2025

WRIT PETITION NO.13518 OF 2025

WRIT PETITION (STAMP) NO.33895 OF 2025

WRIT PETITION (STAMP) NO.34566 OF 2025

WRIT PETITION NO.14728 OF 2025

WRIT PETITION NO.14753 OF 2025

WRIT PETITION NO.14767 OF 2025

WRIT PETITION NO.14809 OF 2025

WRIT PETITION NO.14828 OF 2025

WRIT PETITION NO.14820 OF 2025

WRIT PETITION NO.14821 OF 2025

WRIT PETITION NO.14842 OF 2025

WRIT PETITION NO.14851 OF 2025

WRIT PETITION NO.14848 OF 2025

WRIT PETITION NO.14886 OF 2025

WRIT PETITION NO.14875 OF 2025

WRIT PETITION NO.14854 OF 2025

WRIT PETITION NO.14859 OF 2025

WRIT PETITION NO.14855 OF 2025

WRIT PETITION NO.14874 OF 2025

WRIT PETITION NO.14878 OF 2025

WRIT PETITION NO.14881 OF 2025

WRIT PETITION NO.14892 OF 2025

WRIT PETITION NO.14981 OF 2025

WRIT PETITION NO.14966 OF 2025

**WRIT PETITION NO.14967 OF 2025
WRIT PETITION NO.15003 OF 2025
WRIT PETITION NO.15006 OF 2025
WRIT PETITION NO.15015 OF 2025
WRIT PETITION NO.15013 OF 2025
WRIT PETITION NO.15017 OF 2025
WRIT PETITION NO.15018 OF 2025
WRIT PETITION NO.15026 OF 2025**

WITH

WRIT PETITION NOS.11930 OF 2025, 12303 OF 2025, 12368 OF 2025, 12369 OF 2025, 12935 OF 2025, 13458 OF 2025, 15121 OF 2025, 15122 OF 2025, 15123 OF 2025, 15125 OF 2025 AND 15127 OF 2025 (NOT ON BOARD. TAKEN ON PRODUCTION BOARD.)

Mrs. Jagruti Nimbalkar, Adv for Petitioner in WP 11880/2025.

Mrs. Neeta P. Karnik Senior Adv a/w. Mr. Jimmy Gonsalves, Mr. Shrirang Katheshwarkar, Mr. Anthony F. Foss, Ms. Harshada Kshirsagar, Mr. Piyush Todkar, Mr. Vivek Chauhan, Mr. Sandeep Gupta, Mr. Kallis Albert Alphanso i/b. Mrs. Jovila Gonsalves, Adv for Petitioners in WP 11477/2025, WP 12216/2025, WPST 33740/2025, WPST 33895/2025.

Mrs. Neeta P. Karnik Senior Adv a/w. Mr. Jimmy Gonsalves, Mr. Anthony F. Foss, i/b. Mrs. Jovila Gonsalves, Adv for Petitioners in WPST 33340/2025.

Mrs. Neeta P. Karnik Senior Adv a/w. Jagruti Nimbalkar i/b. Vivek Thakar, Adv for Petitioner in WP 11878/2025.

Mr. Nitin Gaware Patil a/w. Mr. Shantanu Kolhe i/b. Mr. Varad Partani, Adv for Petitioner in WP 13458/2025.

Mrinal Shelar, Adv for Petitioner in WP 12935/2025 (ZP SC Reservation Rotation)

Mr. Mahesh S. Deshmukh a/w. Mr. Anshuman B. Deshmukh, Adv for Petitioner in WP 14854/2025, WP 14859/2025.

Mr. D. A. Madake, Adv for Petitioner in WP 14728/2025.

Ratan Adhe i/b. Vishal Bagul Patil, Adv for Petitioner in WP 15026/2025.

Mr. Sumit Kate a/w. Mr. Jenish Jain, Sakshi Inamdar i/b. Sonali Chavan, Adv for Petitioner in WP 13371/2025.

Mr. Anil Anturkar Senior Adv a/w. Mr. Chaitanya Chavan a/w. Mr. Rahul Singh, Neil Patel, Atharva Date, Smt. Pranali Raut, i/b. Legal Catalyst for Petitioners in WP 13518/2025.

Mr. Anil Sakhare a/w. Mr. Rohan Mirpury , Adv for Applicant in IAST. 33915/2025 in WP 13371/2025.

Mr. Ashok Misal i/b. Sandeep Koregave, Adv for Petitioner in WP 14960/2025, WP 14892/2025, WP 14966/2025.

Mr. Vijay Agale, Adv for Petitioner in WP 14981/2025.

Mr. Chaitanya Chavan a/w. Mr. Rahul Singh, Neil Patel, Smt. Pranali Raut, i/b. Legal Catalyst for Petitioners in WP 13515/2025.

Mr. Abhijit Joshi i/b. Mr. Sharad Natu, Adv for Petitioner in WP 14820/2025, WP 14821/2025.

Mr. Devdatta Palodkar a/w. Mr. Nikhil Adkine, Mr. Avinash Bailmare, Mr. Shubham B. Choudhar, Mr. Somanath Kale, Adv for Petitioner in WP 14881/2025, WP 14828/2025, WP 14842/2025, WPST 34566/2025.

Mr. Jagdish G. Aradwad (Reddy), Adv for Respondent No. 1 in WP 13518/2025.

Mrs. Chaitrali Deshmukh, Adv for TMC-Respondent No.1 in WP 13515/2025.

Swati Sagvekar, Adv for Vasai Virar City Municipal Corporation in WP 11477/2025, WP 12216/2025, WPST 33895/2025, WP 33740/2025.

Mr. Sachindra Shetye a/w. Mr. Akshay Pansare, Adv for Respondent -State Election Commission in All Connected matters.

Mr. Shrikrishna Ganbavale a/w. Mr. Shantanu Patil (Through VC),
Mr. Nimisha Sharma, Adv for Respondent No.3. in WP 13371/2025.

Mrs. Neha S. Bhide, G. P. a/w. Mr. O. A. Chandurkar, Addl G.P.,
Mr. V. G. Badgujar, A.G.P., Mrs. G. R. Raghuwanshi, A.G.P. for
Respondent-State in WP 12216/2025, WP 13515/2025.

On production board:

Pulkeshi Gaikwad i/b. Mr. Dinesh Tiwari & Associates, Adv for
Petitioner in WP 12303/2025, WP 12369/2025, WP 12368/2025.
(Sr. 502,503,504)

Mr. Nitin Gaware Patil a/w. Shantanu Kolhe i/b. Varad Partani, Adv
for Petitioner in WP 13458/2025 (Sr. 506)

Mrs. Neha S. Bhide, G.P. a/w. Mr. O. A. Chandurkar, Addl G.P.,
Mr. V. G. Badgujar, A.G.P., Mrs. G. R. Raghuwanshi, A.G.P. for
Respondent-State in WP 11930/2025, WP 13458/2025, WP
12935/2025, WP 12368/2025, WP 12369/2025, WP 12303/2025

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

DATE : 7th NOVEMBER 2025.

P.C. :

Along with Writ Petition Nos. 14981 of 2025 and 13371 of
2025, the following matters are taken on production Board:

PRODUCTION BOARD.	
Sr. No.	Petition Number
501	WP/11930/2025
502	WP/12303/2025
503	WP/12368/2025
504	WP/12369/2025
505	WP/12935/2025
506	WP/13458/2025
509	WP/15121/2025
510	WP/15122/2025
511	WP/15123/2025
512	WP/15125/2025

513	WP/15127/2025
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2. Let certified copies of the paper-books in all these matters be supplied to the Registry by the learned counsels for the petitioners in these petitions.

3. In this batch of writ petitions, different issues pertaining to delimitation exercise, caste category, validity of rules etc are raised. Mrs. Neha S. Bhide, the learned Government Pleader has prepared a category-wise chart of the writ petitions which were listed on previous dates.

4. The learned counsels for the petitioners shall provide true translated copies of the Rules, circulars etc. if needed for adjudication in these matters.

5. Mr. Anil Anturkar, the learned senior counsel appearing for the petitioner in Writ Petition No.13518 of 2025 referred to an order dated 4th May 2022 passed by the Hon'ble Supreme Court vide Special Leave to Appeal (C) No.19756 of 2021 titled "*Rahul Ramesh Wagh v. The State of Maharashtra & Ors.*" and made submissions with reference to the observations of the Hon'ble Supreme Court as to delimitation exercise conducted by the State Election Commission prior to coming into force of the Amendment Act on 11th March 2022. The other learned counsels appearing for the petitioners in other writ petitions have adopted arguments made by Mr. Anil Anturkar, the learned senior counsel.

6. The submission made at the Bar is that the Hon'ble Supreme Court did not pass any order modifying the effective date as to taking into consideration delimitation exercise carried by the Election Commission. In Writ Petition No.12216 of 2025, it is

contended that the State government shall have no powers to extend the Amendment Act to the Schedule areas. On the other hand, Mrs. Neha S. Bhide, the learned Government Pleader has opposed these writ petitions referring to the orders dated 6th May 2025 and 16th September 2025 passed by the Hon'ble Supreme Court in Special Leave to Appeal (C) No.19756 of 2021 titled "*Rahul Ramesh Wagh v. The State of Maharashtra & Ors.*" and submitted that the elections for the local bodies in the State of Maharashtra have to be conducted and completed before 31st January 2026. While fixing such deadline, the Hon'ble Supreme Court issued certain directions to the State Election Commission relating to preparation for conducting elections and conclusion of the elections on/or before the deadline so fixed. She further submitted that there can be an issue regarding maintainability of the writ petitions in view of the notification for elections.

7. Having regard to the rival submissions made on behalf of the rival parties, the prayers for interim relief are refused. However, we are inclined to grant short time for filing reply affidavits by the contesting respondents. Let reply affidavits be filed on/or before 24th November 2025. Permission to file rejoinder affidavits is granted within a period of next three days on/or before 27th November 2025.

8. Post these matters on 27th November 2025 under the heading "For final disposal".

9. In view of the order passed by the Hon'ble Supreme Court in Special Leave to Appeal No.(C) No.19756 of 2021, we are not required to indicate that parties shall complete the pleadings and

produce necessary documents on record. The learned counsels for the petitioners shall prepare short “notes” of legal issues involved in this batch of writ petitions category-wise. They shall also prepare convenience compilation containing the relevant Acts, Rules, Circulars etc. We would further indicate that this order passed by this Court having taken cognizance of the writ petitions, inasmuch as, a direction has been issued to the respondents to file their reply affidavits shall not be construed as if the Election Commission or the State government shall not proceed with issuance of notice etc. and the preparation for conducting elections of all local bodies within the stipulated time. However, all actions taken by the respondents shall be subject to outcome of these writ petitions.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]