ITEM NO.40 COURT NO.12 SECTION IX-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No(s). 8576/2025

[Arising out of impugned judgment and order dated 20-03-2025 in WP No. 2997/2025 passed by the High Court of Judicature at Bombay]

SACHIN PRABHU PAWAR Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS. Respondent(s)

(IA No. 78024/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 88789/2025 - EXEMPTION FROM FILING O.T., IA No. 78026/2025 - EXEMPTION FROM FILING O.T., IA No. 95531/2025 - INTERVENTION APPLICATION, IA No. 86185/2025 - INTERVENTION APPLICATION, IA No. 85248/2025 - INTERVENTION APPLICATION, IA No. 95317/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS /ANNEXURES and IA No. 89009/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 07-01-2026 This matter was called for hearing today.

CORAM : HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s): **Mr. Shantanu Phanse, Adv.**
Ms. Preet Phanse, Adv.
Mr. Prastut Mahesh Dalvi, AOR

Mr. Vishaal Jogdand, Adv.

For Respondent(s): **Mr. Tushar Mehta, Solicitor General**
Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Shrirang B. Varma, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Mr. Adarsh Dubey, Adv.
Ms. Chitransha Singh Sikarwar, Adv.

Mr. Siddharth S. Chapalgaonkar, Adv.
Mr. Mahesh Bhatane, Adv.

Ms. Sneha Sanjay Botwe, AOR

Mr. T. R. B. Sivakumar, AOR
Mr. Shresh Gacchi, Adv.
Mr. Deva Vrat Anand, Adv.
Mr. Prabhas Bajaj, AOR

Mr. Navin Prakash, AOR
Ms. Srishti Prakash, Adv.

O R D E R

At the outset, Mr. Tushar Mehta, learned Solicitor General appearing for the State of Maharashtra submits that the objection of the petitioner was primarily to the appointment of a particular Returning Officer on the ground of him being ineligible. Now, they have appointed a new Returning Officer – Mr. Sunil Kumar Dhonde, Under Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai.

2. Learned counsel for the petitioner submits that as they were interested in getting the elections held but through a neutral and eligible Returning Officer and now a new officer has been appointed against whom they have no objection regarding the qualification, the Court may pass necessary orders.

3. Learned counsel for the proposed intervenors gave certain suggestions with regard to the conduct of the elections.

4. Learned Solicitor General very fairly submits that the Court may direct the new Returning Officer to conduct the elections afresh after following the due procedure in law.

5. We accept the suggestion. Accordingly, the present

petition stands disposed of with a direction to the aforesaid Returning Officer to conduct the elections at the earliest and latest within a period of three months from today. It goes without saying that the said process would be started *de novo* by the Returning Officer and all process as per law shall be followed, including hearing of objections etc. The Returning Officer would fix the date of the elections on a holiday. i.e., on Sunday/any public holiday so as to facilitate the members to vote.

6. We would further indicate that the petitioner as well as the proposed intervenors shall fully cooperate in holding of such elections.

7. To ensure that the elections are taken to its logical conclusion, we indicate that no Court shall entertain any plea against the conduct and conclusion of the elections except by moving an application in the present proceedings. We further clarify that if we find the objection to be frivolous, the same shall be dealt with strictly.

8. Pending application, if any, including application(s) for intervention/impleadment, stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR