

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

**I.A.(ST.) NO. OF 2020  
IN  
WRIT PETITION-ASDB-LD-VC NO.34 OF 2020**

Dilip Panditrao Agale ... Petitioner  
V/s.  
The State of Maharashtra & Ors. ... Respondents

**WITH  
I.A.(ST.) NO. OF 2020  
IN  
WRIT PETITION-ASDB-LD-VC NO.146 OF 2020**

Shivaji Hindurao Patil ... Petitioner  
V/s.  
The State of Maharashtra & Ors. ... Respondents

Mr.S.B.Talekar i/b Talekar & Associates for the Petitioner.

Mr.A.A.Kumbhakoni, Advocate General with Mr.Akshay Shinde "B" Panel  
Counsel for Respondent Nos.1 to 4 – State.

Mr.Anil Singh, ASG with Mr.Aditya Thakkar, Mr.Sandesh Patil and  
Mr.D.P.Singh for Respondent Nos.5 and 6 – Union of India.

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**CORAM: S. C. GUPTE AND  
MADHAV J. JAMDAR, JJ.**

**DATE : 5TH NOVEMBER, 2020.  
(THROUGH VIDEO CONFERENCING)**

**P.C:-**

1. The subject matter of controversy in the present petitions concerns nomination of Councilors to the Maharashtra Legislative Council. It appears that an advice has been tendered by the Council of Ministers to the Hon'ble Governor for these appointments.

2. There is no urgency to hear the matter today, being the last day of the term so far as this bench is concerned, and it is already past 5.30 pm.
3. Place these petitions together with Interim Applications on 8th December, 2020 for admission and hearing.
4. Mr. Talekar, learned Counsel for the Applicants/Petitioners, applies for disclosure of names submitted by the Council of Ministers to the Hon'ble Governor for nomination to Legislative Council. The matter being just now at the stage of advice tendered by the Council of Ministers to the Governor and, prima facie, there being no question of enquiry into any such advice under clause (3) of Article 163 of the Constitution of India, we cannot pass any urgent ad-interim directions in this behalf. In any event, all these matters shall be considered, when we take up the Writ Petitions together with Interim Applications on the next date.
5. Liberty to the Applicants/Petitioners to apply for urgent ad-interim relief before the Vacation Court, in case such need arises during the ensuing Diwali vacation.
6. This order will be digitally signed by the Private Secretary of this Court. Associate of this Court is permitted to forward the parties copy of this order by e-mail. All concerned to act on digitally signed copy of this order.

**[MADHAV J. JAMDAR, J.]**

**[S. C. GUPTE, J.]**