

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 5134 of 2026**

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SANJAYBHAI MANGALBHAI GADHAVI

Versus

THE STATE ELECTION COMMISSION & ORS.

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Appearance:

MR CP CHAMPANERI(5920) for the Petitioner(s) No. 1

G H VIRK(7392) for the Respondent(s) No. 4

MS MRUNAL DHOLARIA, ASST.GOVERNMENT PLEADER for the
Respondent(s) No. ,2,3

MS AISHVARYA for Respondent (s) No.1

MR SIMRANJITSINGH H VIRK(11607) for the Respondent(s) No. 4

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CORAM:HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA

and

HONOURABLE MR.JUSTICE J. L. ODEDRA**Date : 09/04/2026****ORDER****(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)**

1. The prayer of the petitioner is to direct the respondents to include his name in the Electoral Roll of Ward No.44 of Khokhara and permit him to participate in the electoral process in the upcoming elections of the Ahmedabad Municipal Corporation (AMC).
2. It is the case of the petitioner that his name was in the assembly constituency, which forms the basis of the preparation of the electoral rolls for the Municipal Corporation elections. However, his name came to be

deleted in the Special Intensive Revision (SIR) and as a consequence, he made an application for inclusion of his name on 12.03.2026. It is his case that the said application was accepted and he has received a message on his telephone that the application has been processed successfully. He also stated that the application filed by the petitioner has been acknowledged digitally on 12.03.2026.

3. Learned counsel for the petitioner points out that he was issued with an EPIC Card indicating that his name had been included in respect of Maninagar assembly constituency.
4. It is not in serious dispute that the Maninagar assembly constituency comprises of ward falling within the Khokhara constituency and, therefore, the persons in the electoral roll of Maninagar constituency will have to be included in the electoral list for the AMC elections.
5. Learned counsel for the State Election Commission points out that the preliminary list was prepared on 23.03.2026 on the basis of the revised assembly constituency electoral

roll dated 17.02.2026 and, since the name of the petitioner was not even in the revised list dated 17.02.2026, his name could not be included in the electoral roll for the AMC.

6. Learned counsel for the State Election Commission, however, submits that she is unable to verify whether the application of the petitioner for being included was made on 12.03.2026 and was accepted by the concerned authority.
7. Learned counsel for the State Election Commission submits that the request of the petitioner for inclusion in the electoral roll has been rejected on 06.04.2026 on the ground that the name of the petitioner was not found in the revised electoral roll prepared on 17.02.2026. Learned counsel also submits that in view of Rule 6 of the Bombay Provincial Municipal Corporation (Registration of Voters) Rules, 1994, would also disentitle the State Election Commission from incorporating the name of the petitioner within the period preceding 10 days of the last date of filing the nomination.
8. Learned counsel for the petitioner has placed on record the

application form that he had filed on 12.03.2026 for inclusion of his name. This application also consists of a digital signature which acknowledges the filing of the form. Hence, the application.

9. He has also, thereafter, produced the SMS message which indicates that his application for inclusion bearing reference No.S06053O6N1203261200002, was processed successfully.
10. This would indicate that prior to the publication of Preliminary list on 23.03.2026, the name of the petitioner was, in fact, included in the assembly constituency of Maninagar. If the name of the petitioner was included in the Maninagar constituency, it is obvious that he gets the right to be also included in the electoral roll for participation in the election process of AMC.
11. Consequently, we are of the view that the writ petition deserves to be allowed and accordingly, a direction is issued to respondent No.4 to include the name of the petitioner in the electoral roll of Ward No.44 of Khokhara and as a consequence, the petitioner would also be at

liberty to participate in the electoral process scheduled to be held in the forthcoming month.

Direct service is permitted today.

(N.S.SANJAY GOWDA,J)

SUDHIR

(J. L. ODEDRA, J)