

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3499 OF 2015

Sharda W/o Shailesh @ Ambadas
Patange and another

...PETITIONERS

versus

The State of Maharashtra & ors.

...RESPONDENTS

.....
Mr. H.I. Pathan, Advocate for Petitioners

Mr. S.K.Tambe , A.G.P. for respondents No. 1 and 2

.....

CORAM : SUNIL P. DESHMUKH, J.

DATED : 27th MARCH, 2015

Order :-

1. After hearing learned counsel for petitioners and Assistant Public Prosecutor appearing for respondents No. 1 and 2, it transpires that in effect the petitioners purport to challenge electoral roll and its legality contending the same is illegal including deletion of petitioners name as well addition of some other names.

2. In the case of *Shri Sant Sadguru Janardan Swami (Mohangiri Maharaj) Sahakari Dugdha Utpadak Sanstha and another Vs. State of Maharashtra and others* reported in *AIR 2001 Supreme Court 3982*, the Supreme Court has considered that preparation of

electoral roll is intermediate stage in the process of election, writ petition to quash election schedule on the ground of illegality in preparation of electoral roll is not maintainable and further that such challenge can be raised in election petition.

3. Having regard to aforesaid, I do not deem it appropriate to interfere with in the impugned orders in present writ petition, leaving it open for the petitioners to avail of appropriate remedy at proper stage, Writ Petition, as such, stands rejected.

Sd/-

(SUNIL P. DESHMUKH, J.)

MTK