

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4223 OF 2015

Kiran S/o Pandurang Rathod ... Petitioner

versus

Rajesh Uttamrao Vitekar and ors. ... Respondents

WITH
WRIT PETITION NO. 4240 OF 2015

Kiran S/o Pandurang Rathod ... Petitioner

versus

Manisha Anandrao Surywansh
and ors. ... Respondents

.....
Mr. Mahesh S. Deshmukh, Advocate for Petitioner
Mr. P.D. Bachate, Advocate for respondent No. 1
Mr. S.V. Suryawanshi, Advocate for respondent No. 2
Mr. V.G. Shelke, Asstt. Govt. Pleader for respondent No. 3 and 4
.....

CORAM : SUNIL P. DESHMUKH, J.

DATE : 24th APRIL, 2015

ORDER :-

1 After hearing learned counsel Mr. M.S. Deshmukh, appearing for petitioners and Mr. Bachate learned counsel for respondent No. 1, Mr. Suryawanshi, learned counsel for respondent No. 2 and learned Assistant Government Pleader for respondents No. 3 and 4, one glaring thing emerges that grounds of objection in writing had not been placed before the returning officer at the time of scrutiny and those were submitted in the office of Collector. In such a case,

it can hardly be said that decision being rendered on the basis record and going by nature of enquiry as required at the stage of scrutiny of nomination, the order impugned can be faulted with.

2. Writ petition, as such, stands rejected. However, it would be open for the petitioners to raise grievance in appropriate proceeding at proper stage including in an election petition.

(SUNIL P. DESHMUKH, J.)

MTK