

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

WRIT PETITION NO. 5761 OF 2012

Prashant Dattatraya Rankhamb
and Another

.. Petitioners

Versus

The State of Maharashtra and Others .. Respondents

Shri Ravindra B. Narvade Patil, Advocate for the Petitioners
Shri G. K. Thigle, A. G. P. for the Respondent Nos. 1, 2 and 4
Shri M. V. Ghatge, Advocate for the Respondent No. 3

**CORAM : S. V. GANGAPURWALA AND
V. L. ACHLIYA, JJ.**

DATE : 20TH JANUARY, 2015.

PER COURT :

1) The petitioner assails the validity granted in favour of respondent No. 3. We have heard Mr. Narwade Patil the learned counsel for the petitioner, the learned A. G. P. and Mr. Ghatge the learned counsel for respondent No. 3. The petitioners are defeated candidates in the election. The petitioners have not filed complaints before the Committee nor at any point of time had filed any objections in the validation proceedings before

the Committee. It would not be possible to reassess the evidence qua the objections being raised by the petitioners for the first time in the Writ Petition.

2) The petitioners may file applications/complaints with the respondent No. 2 Committee with regard to the validity granted in favour of respondent No. 3. The respondent No. 2 shall scrutinize the said complaints and may take such appropriate steps depending upon the receipt of the said complaints from the petitioners in accordance with law and adhering to the principles of natural justice. If complaints are filed by the petitioners the Committee shall expeditiously take further steps in the said complaints. Writ petition is accordingly disposed of with aforesaid observations and directions however with no orders as to costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]