

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

53 WRIT PETITION NO. 6637 OF 2015

UTTAMRAO SHRIPATRAO THORAT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr.Deshmukh N. E. And
Mr.Rajesh H Mewara
Advocate for Respondent No.2: Mr. Shelke Shivaji T.
GP for respondents: Mr. D.R. Kale
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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: July 22, 2015
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PER COURT :-

1 The petitioner is objecting to the voters list, prepared by the respondent, for holding elections to the village Panchayat Dhorkin. According to the petitioner, the names of certain voters, who are required to be enlisted in one ward have been transferred illegally to other ward. Petitioner contends that, the objection raised by him, has not been considered, in its proper perspective. It is not a matter of dispute that, the programme of election has been declared and the stage of presentation of nomination paper is already over. So far as the petitioner is concerned, his name does find place in the electoral roll. Even if it is assumed that, his name is transferred from one ward to another, neither the right of the petitioner to contest the election nor his right of franchise has been taken away. This situation is good so far all such voters, whose names are transferred, from one ward to another ward. Such of those voters whose names are allegedly transferred from one ward to another, are not before us and no grievance is raised by such of those affected voters. The petitioner, apprehending effect on his future electoral prospects has presented this petition, which, in our opinion, in exercise of extraordinary jurisdiction under article 226 of the Constitution of India, need not be entertained.

2 Writ Petition is dismissed.

(P.R. BORA, J.)

(R. M. BORDE, J.)