

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

WRIT PETITION NO. 7368 OF 2015

Ramakant s/o Vaijanath Murudkar Petitioner
vs
The State of Maharashtra and others Respondents

Mr. S. N. Lale Yelwatkar, Advocate for petitioner
Mr. S.K. Tambe, Asstt. Govt. Pleader for respondents

CORAM : SUNIL P. DESHMUKH, J.
21ST JULY, 2015

ORDER:

1. Petition has been moved against the order dismissing appeal filed by present petitioner challenging the order of returning officer refusing nomination and candidature to the petitioner for contest in the scheduled elections of Latur District Labour Co-operative Society Limited, Latur.

2. The facts not much in dispute are, petitioner hails from village Hippalgaon, taluka Shirur Anantpal, district Latur. His nomination has been proposed and seconded by persons residing outside Shirur Anantpal taluka and as such the same is not from the constituency which the petitioner seeks to contest and wherein he is a voter.

3. Having regard to rule 20 (3) proviso as well as rules 21(1) and 21 (2) of the Maharashtra State Co-operative societies

(Election to Committee) Rules, 2014, election officer had expressed inability to accede to the request of the petitioner. The appeal has also failed for the very same reasons. Conjoint reading of rules 20(3) proviso as well as rule 21 (1) of said rules shows that the orders would not be liable to be faulted with and particularly having regard to the stage at which the elections have reached, I do not see any point in entertaining writ petition.

4. Writ petition as such is rejected.

SUNIL P. DESHMUKH, J.

pnd