

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

WRIT PETITION NO. 7520 OF 2015

Sunita W/o Bansilal Mane
Age: 35 years, Occu. Household,
R/o Deolai, Tq. Bhoom,
Dist. Osmanabad

...PETITIONER

versus

The Commissioner,
State Election Commissioner of
Maharashtra, 1st Floor,
New Administrative Building
Hutatma Rajguru Chowk
Madan cama Road,
Mubami and others

...RESPONDENTS

.....

Mr. Abhijit S More, Advocate for Petitioner
Mr. S.T. Shelke, Advocate for respondents No.1 and 2
Mr. Shrikant G. Kawade, advocate for respondent No. 3

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CORAM : SUNIL P. DESHMUKH, J.

DATED : 31st JULY, 2015

ORDER :-

1. Petitioner's nomination has been rejected on the ground that third child is born to her after cut off date i.e. 12-09-2001. Nomination of the petitioner was objected on aforesaid ground by producing certificates from the school where the children are supposed to take education.

2. Learned counsel for the petitioner submits that third child is born to the petitioner in 1998 and as such, it is not accepted that third child is born to her on 19-03-2003, after the cut off date, as alleged.

3. Learned counsel for petitioner, however, fairly submits that no birth certificate of third child having been born to petitioner in 1998 had ever been produced before the returning officer nor it is produced before this

court. In such a case, no fault can be found with the impugned order, as the returning officer has relied on the material available before him.

4. Writ petition, as such, is not being entertained and stands rejected.

Sd/-

(SUNIL P. DESHMUKH, J.)

MTK