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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7494 OF 2015

Awadabai Dadabhau Sardar

PETITIONER

VERSUS

The State of Maharashtra & others

RESPONDENTS

WITH
WRIT PETITION NO.7507 OF 2015

Sanjay Santosh Patil

PETITIONER

VERSUS

The State of Maharashtra & others

RESPONDENTS

WITH
WRIT PETITION NO.7508 OF 2015

Baijabai Chotu More

PETITIONER

VERSUS

The State of Maharashtra & others

RESPONDENTS

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Mr. D. B. Thoke, Advocate for the petitioners

Mr. S. P. Daund and Mr. S. K. Tambe, AGPs for respondents State

Mr. S. T. Shelke, Advocate for respondent No.2

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 23rd JULY, 2015

ORDER :

1. After hearing learned advocate for the petitioners, learned AGPs and Mr. Shelke-learned advocate for the State Election

Commission, indisputable position emerges that the petitioners have not signed quite a few declarations and as such, their nominations have been rejected.

2. Mr. Shelke points out a decision of the Supreme Court, reported in *AIR 2014 SC 344 "Resurgence India V. Election Commission of India and Another"* and states that absence of signatures is a defect which can hardly be considered as not to be substantial as is sought to be argued by learned advocate for the petitioners, for, the Supreme Court, under clauses (iii) of paragraph No.27 of said judgment has considered that absence of affidavit / signature would render the same nugatory, which read thus -

“(iii) Filing of affidavit with blank particulars will render the affidavit nugatory.

3. Nominations submitted by the petitioners appear to be discrepant and deficient.

4. In view of aforesaid, no fault can be found with the rejection of nominations of the petitioners. Writ petitions, as such, stand rejected.

[SUNIL P. DESHMUKH, J.]