

drp

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

**WRIT PETITION NO.7502 OF 2015**

Devkabai Vinod Beldar

PETITIONER

VERSUS

The State of Maharashtra &amp; Another

RESPONDENTS

.....

Mr. V. B. Patil, Advocate for the petitioner

Mr. S. P. Daund, AGP for respondent State

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

.....

**[CORAM : SUNIL P. DESHMUKH, J.]**

**DATE : 23<sup>rd</sup> JULY, 2015**

**ORDER :**

1. The petitioner is before this court purported to have been aggrieved by order dated 21<sup>st</sup> July, 2015 invalidating her nomination for a candidature to contest Charthana Gram Panchayat elections.

2. After hearing learned advocates for the petitioner and respondents, the position emerges that though the petitioner claims to have submitted a proper certificate depicting existence of toilet and its user, according to the petitioner, the same has been mischievously replaced by some other certificate showing that the petitioner's residence does not have toilet. However,

about the certificate which has been issued on 20<sup>th</sup> July, 2015, which according to the petitioner has been annexed to the nomination form, no specific averments appear to have been made in the writ petition.

3. Although learned advocate for the petitioner urges to consider the affidavit filed by her father in law asserting existence of toilet in the residence of the petitioner, the situation gives rise to a lot of disputed questions of facts. Under the circumstances, it is difficult to go into these questions under the writ jurisdiction. As such, the writ petition is not being entertained and is rejected. It is, however, open for the petitioner to make an approach by way of other remedies, as would be available in law, including an election petition.

**[SUNIL P. DESHMUKH, J.]**