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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7505 OF 2015

Santosh Samadhan Beldar

PETITIONER

VERSUS

The State of Maharashtra & others

RESPONDENTS

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

Mr. S. K. Tambe, AGP for respondent 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. The petitioner is before this court against rejection of his nomination to contest elections of Gram Panchayat Charthan, Taluka-Muktainagar, District – Jalgaon, for want of production of requisite caste certificate along with nomination form.

2. After hearing learned advocates for the petitioner and the respondents, the situation clearly emerges that the scrutiny sheet does show absence of requisite certificate having been annexed to the nomination form and further that the petitioner had not presented himself at the time of scrutiny of nomination forms.

3. The petitioner is not in a position to justify his absence at the time of scrutiny nor non submission of caste certificate along with the nomination form.

4. Although learned advocate for the petitioner urges me to consider that while a receipt acknowledging submission of application for caste scrutiny had been produced along with the nomination form, it would suppose existence of caste certificate, however, learned advocates for the respondents have a different version on this.

5. In any case, it appears that the petitioner has failed to append requisite caste certificate along with nomination form. In view of the same, seldom fault can be found with the order passed by the returning officer. The writ petition, as such, stands rejected. This, however, would not be an impediment for the petitioner, if he feels aggrieved by the rejection of his nomination, to make an approach before appropriate forum at appropriate stage.

[SUNIL P. DESHMUKH, J.]