

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

WRIT PETITION NO. 7741 OF 2015

Padmin w/o Shivaji Doke		Petitioner
versus		
State Election Commission, Maharashtra State and anr.		Respondents

Mr. Kishor R. Doke, Advocate for petitioner
Mr. S.T. Shelke, Advocate for respondent no.1
Mr. S.P. Daund, Asstt. Govt. Pleader for respondent no. 2

CORAM : SUNIL P. DESHMUKH, J.
30TH JULY, 2015

ORDER:

1. Petition has been moved by petitioner, aggrieved by rejection of her nomination by returning officer under order dated 21-7-2015 for the reason that despite opportunity being afforded, no efforts were taken by her for removal of discrepancies in the declaration.
2. Learned counsel for petitioner submits that, as a matter of fact, there was no discrepancy in filling up declaration form, however, due to confused arrangement of columns and rows in the form, some space had missed out attention of the petitioner and blank spaces thereunder could not be filled up.
3. He purports to contend that no intimation had ever been received for corrective action as appearing under the impugned

order. He, however, has been fair enough to point out page 33 of the petition, a copy of intimation on 20-07-2015 by returning officer to petitioner about discrepancies in her declaration / nomination form and with reference to the same, contends that while scrutiny was done on 20-07-2015, corrective action as contemplated was expected to be taken on the very day i.e. 20-07-2015. In any case, it appears that no corrective action as had been required has been taken by petitioner.

4. Moreover, having regard to directions and guidelines as appearing in clause (iii) of paragraph no. 27 of the judgment of the supreme court in *Resurgence India v. Election Commission of India*, reported in *AIR 2014 SC 344* which reads as under;

“27. What emerges from the above discussion can be summarized in the form of following directions:

(i)

(ii)

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

5. I am not inclined to entertain the writ petition.

6. Writ petition, as such, stands rejected.

SUNIL P. DESHMUKH, J.

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