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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7736 OF 2015

Jitendra Lalchand Sonwane

PETITIONER

VERSUS

Election Commission of Maharashtra & others

RESPONDENTS

WITH
WRIT PETITION NO.7739 OF 2015

Ravindra Pouald Sonwane

PETITIONER

VERSUS

Election Commission of Maharashtra & others

RESPONDENTS

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Mr. Milind Patil, Advocate for the petitioners

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

Mr. S. T. Shelke, Advocate for respondent No.1

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 31st JULY, 2015

ORDER :

1. The petitioners are before this Court taking exception to acceptance of nominations of respondents No.3 in respective petitions, on the ground that space in respect of attestation has been left blank and as such, nominations ought to have been rejected. It is also contended that respondent No.3 in writ petition No.7736 of 2015 has three children born after the cut off

date and further that though the petitioners tried to submit objections to the nominations of respondents No.3, their objections were not accepted. Learned advocate for the petitioners further goes on to submit that there is no formal order accepting nominations of respondents No.3.

2. Learned advocate for the State Election Commission, however, contends that there was no attempt by the petitioners to submit any objection at all. For the first time, such an allegation has been made in the writ petitions and there is no credible material placed before the court to support the allegations. It is further being submitted that proper orders accepting nominations of respondents No.3 have been passed, which is evident from the record, as appearing on the forms submitted on line whereas the petitioners are placing reliance on applications manually filled in. In such a case, it is not proper to contend that there is no order passed by the returning officer. He, submits that since there were no objections as regards three children to respondent No.3 in writ petition No. 7736 of 2015 after the cut off date, his nomination has been properly accepted.

3. Having regard to aforesaid, I do not deem it appropriate to

consider the writ petitions in exercise of extra ordinary powers of this court. In any case, the elections have also reached at a very advanced stage. In the scenario, I am disinclined to consider writ petitions and the writ petitions stand rejected.

4. It would, however, be open for the petitioners to take up all such proceedings as are advised in respect of acceptance of nominations of respondents No.3. Aforesaid observations are confined to the extent of rejection of present writ petitions and no further.

[SUNIL P. DESHMUKH, J.]