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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7742 OF 2015

Jitendra Rajendra Sonwane	PETITIONER
VERSUS	
Election Commission of Maharashtra & others	RESPONDENTS

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Mr. Milind Patil, Advocate for the petitioner
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. Heard learned advocates for the parties quite at length.
2. The petitioner objects to the nomination of respondent No.3 on the ground that, portion of nomination form, as annexed and appearing at page No.23 of this petition, has not been attested. He submits that such a deficient application is liable to be rejected.
3. Learned advocates for the respondents submit that objection now being pointed out has not been an objection before the returning officer and the objection was with regard to that respondent No.3 has not signed twice below the photograph. Learned advocates point out that the returning officer, looking at the nature of objection, had considered the

same and considered that it is not a case of no signature and in such a case, the objection has been unsustainable. They further refer to that entire new case is sought to be made out before this court and a writ petition shall not be entertained on this new ground. It is further being submitted that election is at the advanced stage and no interference be caused.

4. Looking at that it is not a case that there is no signature of respondent No.3 and further that the objector is trying to switch from one objection to the other, the one before the returning officer and other before this court, without letting an opportunity to the other side to deal with such objections.

5. In the circumstances, I do not deem it appropriate to cause interference with the impugned order. Writ petition as such, stands rejected.

6. It is, however, open for the petitioner to take up all such proceedings as are advised in respect of acceptance of nomination of respondent No.3. Aforesaid observations are confined to rejection of present writ petition and no further.

[SUNIL P. DESHMUKH, J.]