

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3667 OF 2015

Suresh Nagnath Adsul ... Petitioner

V/s.

The State of Maharashtra & Ors. ... Respondents

.....
Mr. V. S. Deokar, Advocate for the Petitioner.
Mr. Vikas Mali, AGP for Respondent Nos.1 and 2.
Mr. S. B. Shetye, Advocate for Respondent No.3.
.....

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

DATED : SEPTEMBER 9, 2015.

P.C.

The petitioner prays for the following reliefs:

- a) *Rule be issued and record and proceedings be called for*
- b) *That this Hon'ble Court be pleased to issue writ of certiorari or any other appropriate writ, orders or direction in the nature of Certiorari there by quashing the impugned order dated 09.02.15 (Exh-C)*

b-i) That this Hon'ble Court be pleased to direct the respondent nos.1 to 3 to consider petitioners application dt. 05.02.15. (Exh-8)

c) Any other just and equitable order that this Hon'ble Court may deem fit and proper may be passed in favour of the petitioner."

2 The petitioner's grievance is that his objections while delimiting the constituency for holding elections to the Gram Panchayat were not considered. He was not heard. The counsel appearing for the State Election Commission Mr. Shetye submits that the petitioner was noticed in writing to remain present for hearing of objections. The notice was issued on 5th February, 2015. It was served on the petitioner. The petitioner signed on the said notice. Photostat copy of the notice is now shown to us today. The learned counsel appearing for the State Election Commission has brought to our notice some of the contentions raised in the additional affidavit of the petitioner filed on 7th July, 2015 and affirmed on 10th July, 2015 on which date the learned counsel Mr. Shetye received the said affidavit. We have perused the affidavit filed particularly paragraph nos. 5 and 6. The averments made in these paragraphs are not in good taste. The

learned counsel for the petitioner feels apologetic for the averments made in the said affidavit. On merits we do not find the petitioner has made out a case for exercising extra ordinary writ jurisdiction of this Court. Petition is dismissed.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)