

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

WRIT PETITION (STAMP) NO.10712 OF 2015

Shri. Shankar Tukaram Mane

.. Petitioner

Versus

**Ld. District Co-operative Election Officer
and others**

.. Respondents

Shri. Manoj A. Patil, for the Petitioner.

Ms. M. S. Bane, 'B' Panel Counsel for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 21st APRIL, 2015

PC.

1. The Petitioner's nomination form was rejected on the ground that he was not eligible to contest the elections in terms of the bye laws of the Respondent No.3 society and especially bye law 6-9. The entire election process is complete and the elected body has taken charge. The Appeal of the Petitioner against the rejection of the nomination has been rejected on the ground of being belated as the Appeal was required to be filed before three days of the rejection of the nomination. Since the election process is now complete and the elected body is in office assuming that the seat for which the nomination filed by the Petitioner is vacant, it would not be proper to permit the Petitioner to prosecute the

Appeal in question against the rejection of his nomination form, as the fact of the elections being complete has overtaken the said aspect. Even assuming that there is merit in the contention of the Learned Counsel for the Petition, no relief can be granted to the Petitioner in the above Petition. The Petition is accordingly dismissed.

[R.M. SAVANT, J]