

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

WRIT PETITION NO. 5108 OF 2015

Shri Sopan Aajinath Baad	...	Petitioner
V/s.		
The State of Maharashtra & ors.	...	Respondents

Mr. S.P. Kadam for the petitioner.

Mr. Vikas Mali, AGP for the State.
Mr. S.B. Shetye for respondent no.5.

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

20th July, 2015.

P.C.

The petitioner raised an objection that some of the houses which are shown as part of Ward No.1 ought to be in Ward No.3. The issue relates to election of Gram Panchayat. Learned Counsel appearing for the petitioner submits that the record shows the names of such persons fall in Ward No. 3. The concerned authorities have wrongly continued these persons as residents in Ward No. 1.

2. Learned Counsel submits that just because these persons participated in the last election from Ward No.1, their names need not be retained in Ward No.1.

3. Affidavit has been filed on behalf of the respondents. The

petitioner has also filed an additional affidavit. Learned Counsel appearing for Election Commissioner submits that since last two elections said persons were participating in the election from Ward No.1.

4. Reliance is placed on a written report made by the Tehsildar on 2nd July, 2015. Learned Counsel submits that election process is set in motion and voting would take place after a couple of days.

5. The petitioner and the respondents placed reliance on the revenue record and the report submitted by the Revenue Officer in respect of the objection taken to sizable number of persons who would be participating in the election process from Ward No.1. The persons who are likely to be affected are not parties before this Court. The election process is already set in motion.

6. In view of the aforesaid circumstances, no interference is warranted under extraordinary writ jurisdiction of this Court. Petition is dismissed.

(S.B. SHUKRE, J.)

(NARESH H. PATIL, J.)