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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 10737 OF 2015

Shahjahan Mehboob Mulani

.. Petitioner

Vs.

1. State of Maharashtra and ors.

.. Respondents

Mr. S. G. Reddy (Aradwad) for petitioner.

Mr. Vikas Mali, AGP for State.

Mr. S. B. Shetye for respondent no.5.

CORAM: NARESH H. PATIL &
S. B. SHUKRE, JJ.

OCTOBER 30, 2015.

P.C.

1. The grievance of the petitioner is that on-line publication of the reservation of the ward is faulty. The reservation shown in Ward No.3 was concerning BCC. The nomination form submitted by the petitioner was rejected on the ground that seats in the said ward are reserved for BCC women. Learned counsel Mr. Shetye appearing for the Commission submits that it is a on-line mistake, but as per the notification issued under Rule 5, one seat, out of three seats, was reserved for BCC women. It is

submitted that the Gram Panchayat nominations were to be filed on-line. It is reasonably expected that on-line publication of notices/orders by the Election Commission ought to have been correct reflection of the orders passed by the Commission. The mistake is misleading and would interfere into the concept for free and fair election.

2. We had adjourned the matter for obtaining instructions from the Election Commission. Mr. Shetye, learned counsel appearing for the Election Commission, on instructions, submits that the Election Commission would postpone the election of Ward No.3 of Kothale Gram Panchayat, Taluka Mohol, District - Solapur in respect of all the seats of Ward No.3 on future date so that appropriate publication of the orders are made available to the voters and the contesting candidates.

3. We accept the above statement made by Mr. Shetye, learned counsel appearing for the Election Commission. Petition is disposed of.

4. The Election Commission shall call for explanation from the concerned officers and take appropriate steps in future so that such mistakes are not repeated again.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)