

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4837 OF 2012

Mr.Akshay A. Shah for the petitioner
Mr.Sachindra Shetye for the respondent No.1
Mr.V.S.Gokhale, AGP for respondent Nos.2 and 3
Mr.N.R.Bubna for respondent No.4

P.C.:

2 The first submission of the learned counsel for
the petitioner based on the documents at Exh.A is
that the accounts were submitted within the
stipulated period of 30 days. He submitted that

notice of enquiry was not served upon the petitioner.

3 The learned counsel for the fourth respondent pointed out that the requirement was of lodging accounts in the manner required by the State Election Commission.

4 From the chart placed on record by the fourth respondent, it appears that the petitioner did not file Annexures I and III to the affidavit as per the requirement of the State Election Commission.

5 That is the reason why there is a finding recorded by the Divisional Commissioner that the petitioner has not lodged accounts with the State Election Commission as per the requirements of the State Election Commission.

6 As far as Authority of the Divisional Commissioner is concerned, on 5th June 2010, the power of delegation has been exercised by the State Election Commission authorising the Divisional Commissioners to exercise power in relation to the elections of the Municipal Corporations.

7 Hence, there is no merit in the petition and the same is rejected.

(A.P.BHANGALE,J.)

(A.S.OKA,J.)