

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

WRIT PETITION NO.4938 OF 2015

Ashokrao V Thopte : Petitioner.
Versus
State of Maharashtra
Through Secretary of Department of
Co-operation, Textiles & Marketing and ors. : Respondents.

**Mr. Y S Jahagirdar, Senior Advocate, a/w Mr. S S Kanetkar for the
Petitioner.**

**Mr. A Y Sakhare Senior Advocate a/w Mr. S S Patwardhan for the
Respondent No.6.**

**Mr. Prashant P Chavan i/by Mr. Deepak Desai & Mr. Ravindra Chite for
Respondent No.5.**

Mr. S D Rayrikar, AGP for the Respondent/State.

CORAM : R. M. SAVANT, J.

DATE : 09th June 2015

P.C.

1 The above Petition has been filed challenging the order passed by the District Election Officer by which order the objection raised by the Petitioner has been rejected and the nomination of the Respondent No.6 has been accepted.

2 The learned counsel for the Petitioner sought to urge contentions which would require an inquiry into fact which is not possible for this Court to undertake in its writ jurisdiction under Articles 226 and 227 of the Constitution of India. The election programme is also at an advanced stage. It would therefore be open for the Petitioner to adopt such remedy as is available

in law against the acceptance of the nomination of the Respondent No.6 if the occasion so arises after the elections. Needless to state that if any such proceeding is filed, the same would be adjudicated upon on its own merits and in accordance with law without being influenced by the impugned order. The above Writ Petition to accordingly stand disposed of.

[R.M.SAVANT, J]