

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 2135 OF 2015.

Shri Pramod Mukundrao Jadhav .vs. The District Collector, Yavatmal & others

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr. P.B. Patil, Advocate for petitioner,
Mr. N.R. Rode, A.G.P. for respondent nos. 1 to 4.

CORAM : B.P. DHARMADHIKARI & S.B. SHUKRE, JJ.

DATED : APRIL 15, 2015.

Polling of Gram Panchayat is scheduled on 22.4.2015. Voters' list has been finalized on 14.3.2015. The prayer is to correct errors in final voters' list. Submission is percentage of errors in voters' list for five wards is in excess of 70. The learned Counsel states that as names of voters from one ward have been mixed in other ward and vice versa, this situation has worsened. It is further submitted that list of voters prepared for Legislative Assembly elections ought to have been used for the purpose of this election and could not have been modified.

To explain late approach to this Court, the directions issued by Collector to Tahsildar and by Tahsildar to Talathi are being pressed into service.

The learned A.G.P. appearing for respondent nos. 1 to 4 is opposing any interference at this stage. According to him, the petitioner ought to have made grievance immediately after finalization of voters' list.

The petitioner is not in a position to point out the authority

under which the Collector has asked Tahsildar to make correction in final voters' list. The so-called voters whose names are wrongly included in other ward are not parties before us. If percentage of error is above 70%, it is obvious that large number of voters will be shifted from one ward to other ward and some of them may have also filed nomination papers. This will thus frustrate the entire election. Those voters who are likely to be affected are not joined as parties before us. The learned Counsel who is tendering additional affidavit, i.e. with list of voters used for Legislative Assembly elections is also seeking adjournment till 18.4.2015 to join those voters as parties.

It is obvious that challenge is belated and cannot be looked into at this stage in writ jurisdiction.

With liberty to the petitioner to avail such remedies as are available to him in law after the election, the petition is disposed of. No costs.

Judge

Judge

J.