

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

WRIT PETITION NO.4975 OF 2015

[Sanjay Narayanrao Meshram .vs. The Election Commission of India and others]

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri R.D. Dhande, counsel a/w Shri Mahesh Singh, counsel for the petitioner,
 Ms. Neerja G. Chaubay, counsel for the respondent no.1,
 Ms. B.H. Dangre, Government Pleader for the respondent no.2.

.....

CORAM : SMT. VASANTI A. NAIK AND
N.W. SAMBRE, JJ.

DATED : SEPTEMBER 22, 2015.

Heard.

On an application made by the petitioner to His Excellency, the Governor for a decision that Shri Sudhir Laxmanrao Parve, the sitting Member of the Maharashtra Legislative Assembly from Umred Constituency, is subjected to disqualification, it appears that His Excellency, the Governor has referred the matter for the opinion of the Election Commission of India, as required by the provisions of Article 192 of the Constitution of India. A notice was issued to the Election Commission of India, with a view to consider, within what time, the Election Commission of India would submit its opinion on the question of disqualification of the respondent no.3.

Ms. Chaubay, the learned counsel appearing on behalf of the respondent no.1 – Election Commission of India, states, on instructions, that the Election Commission of India, would send its opinion to His Excellency, the Governor as expeditiously as possible and positively within a period of three weeks.

In view of the statement made on behalf of the Election Commission of India, Mrs. Dangre, the learned Government Pleader, states that His Excellency, the Governor would decide the question in regard to the disqualification of the sitting Member of the Maharashtra

Legislative Assembly from Umred Constituency, as early as possible.

In view of the statements made on behalf of the Election Commission of India and His Excellency, the Governor, we dispose of the writ petition, with no order as to costs.

JUDGE

JUDGE

Gulande