

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

WRIT PETITION NO.5023/2015

Yogesh Manikrao Deshmukh

...Versus...

**The State of Maharashtra, Through the Principal Secretary, Cooperation,
Marketing and Textiles Department, Mantralaya, Mumbai – 32 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 D.A. Mahajan, Advocate for petitioner
Shri D.M. Kale, AGP for respondent nos.1, 2 and 4

**CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.**

DATE : 28.08.2015

By this petition, the petitioner seeks a direction for postponement of the election to the respondent no.6 – Agricultural Produce Market Committee till the completion of the election of the Seva Sahkari Societies in Bhatkuli, Ashti and Asra, District Amravati.

It appears that the election programme was declared on 20.7.2015 by the notification issued by the Collector – Election Officer. The nomination forms were required to be submitted from 20.7.2015 till 3.8.2015. The nomination forms were to be scrutinized on 5.8.2015 and the names of the contesting candidates were to be declared on 7.8.2015. After the decision on appeal, if any, the final list of valid nominations were required to be published on 25.8.2015 as per the election

programme. Today, the respondent – Election Officer is liable to give the symbols to the contesting candidates. The petition has been filed on 27.8.2015 and circulated for today.

If the list of voters was not proper and valid, the petitioner ought to have filed appropriate proceedings immediately. The election process cannot be scuttled and stalled by the High Court in exercise of the writ jurisdiction, as it would amount to interference in the election process.

In view of the aforesaid, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

Wadkar