

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

930 WRIT PETITION NO. 372 OF 2016

NAGESH VINAYAKRAO KADAM

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Patil B.N. And

Mr. C. A. Deshmukh

AGP for Respondents State: Mr. P. N. Kutti

CORAM : V. K. JADHAV, J.

DATE : 20th January, 2016

PER COURT :

1. Heard finally with the consent of the parties at admission stage.

2. The petitioner has filed his nomination for the election of A.P.M.C., Basmat from the category of weaker section. Last date for withdrawal of nomination was 21.12.2015, in case appeal is not preferred against acceptance of nomination. The petitioner has filed the application for withdrawal of nomination on 23.12.2015. The same is rejected as not filed within time.

3. The learned counsel for the petitioner submits that the petitioner was suffering from illness and he was under treatment and therefore he could not make

preparation for election and decided to withdraw her candidature. The learned counsel submits that there would be unnecessarily burden on the petitioner when he is not in position to contest the election. The learned counsel submits that the petitioner is ready to bear the expenses of ballot paper if it is done so early.

4. As per election programme, last date fixed was 21.12.2015 for withdrawal of nomination, in case appeal is not preferred against nomination. It appears that the petitioner has filed application for withdrawal of nomination on 23.12.2015. As per election programme, final list of candidates was published on 07.01.2016 and voting date is 31.01.2016. In view of this, there is no substance in the writ petition.

5. Writ petition is dismissed. No costs.

(V. K. JADHAV, J.)

JPC