

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 971 OF 2012

Hitendra Ramesh Deshmukh and others ...PETITIONERS

versus

The State of Maharashtra and others ...RESPONDENTS

.....
Mr. Ajeet B. Kale, Advocate for petitioner
Mr. S.P. Sonpawale, AGP for respondents No.1 and 2
Mr. D.B. Bagul, Advocate for respondent No. 3
.....

**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 29th APRIL, 2016.

Order :-

1. We have heard Mr. Ajeet Kale, learned counsel for petitioners as well Mr. D.S. Bagul, learned counsel for respondent No. 3 at length. So also, learned Assistant Government Pleader.

2. Present petition is filed on the premise that two candidates could have been nominated from Nationalist Congress Party, which had strength of 13 members, the other party also had strength of 13 members and one was independent. A letter was given by leader of the party to nominate petitioners No. 2 and 3, but only petitioner No. 3 was nominated. No reason is given for not nominating petitioner No. 2. The grievance is that to assist other party, mischief is played.

3. Present petitioner had also filed writ petition bearing No. 983 of 2012 challenging nomination of the candidate from the other party.

Said writ petition is disposed of as infructuous.

4. In present writ petition, there is no challenge to nomination of other candidate. In absence of challenge to the nomination of other candidate, grievance of the petitioners cannot be considered.

5. In the light of above, writ petition stands disposed of. No costs.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

MTK