

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

WRIT PETITION NO. 4283 OF 2016

Uttam S/o. Yashwantrao Mane .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH

WRIT PETITION NO. 4285 OF 2016

Uttam S/o. Yashwantrao Mane .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH

WRIT PETITION NO. 4279 OF 2016

Uttam S/o. Yashwantrao Mane .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH

WRIT PETITION NO. 4280 OF 2016

Uttam S/o. Yashwantrao Mane .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH

WRIT PETITION NO. 4281 OF 2016

Uttam S/o. Yashwantrao Mane .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 4284 OF 2016

Uttam S/o. Yashwantrao Mane	..	Petitioner
Versus		
The State of Maharashtra and others	..	Respondents

WITH
WRIT PETITION NO. 4286 OF 2016

Uttam S/o. Yashwantrao Mane	..	Petitioner
Versus		
The State of Maharashtra and others	..	Respondents

WITH
WRIT PETITION NO. 4295 OF 2016

Uttam S/o. Yashwantrao Mane	..	Petitioner
Versus		
The State of Maharashtra and others	..	Respondents

WITH
WRIT PETITION NO. 4296 OF 2016

Uttam S/o. Yashwantrao Mane	..	Petitioner
Versus		
The State of Maharashtra and others	..	Respondents

WITH
WRIT PETITION NO. 4297 OF 2016

Uttam S/o. Yashwantrao Mane	..	Petitioner
Versus		
The State of Maharashtra and others	..	Respondents

Uttam S/o. Yashwantrao Mane .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Uttam S/o. Yashwantrao Mane .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Uttam S/o. Yashwantrao Mane	..	Petitioner
Versus		
The State of Maharashtra and others	..	Respondents

**CORAM : S. V. GANGAPURWALA AND
K. K. SONAWANE, JJ.
DATE : 26TH APRIL, 2016.**

Mr. Munde, the learned counsel for the petitioner in all

these writ petitions contends that the respondent No. 4 is ineligible to contest the election. The nomination papers have been wrongly accepted. The minimum amount as required is not deposited within stipulated period, still the nomination papers are accepted. Ex-facie the respondent No. 4 in all these petitions is disqualified to contest the election. The learned counsel submits that, the documents on record would demonstrate the said fact.

2. Mr. Kadam, the learned counsel for the Returning Officer submits that, after considering all the relevant aspects of the matter the orders are passed by the Returning Officer.

3. Except in one matter, in none of the matters respondent No. 4 is served. It would not be possible to pass any orders prejudicial to the interest of the person whose nomination paper is accepted, in absence of the said person.

4. It is submitted that, all the stages in the process of election are over except polling and the polling is scheduled tomorrow that is 27th April, 2016.

5. In light of the aforesaid fact that all the stages in the process of election are concluded except voting which is scheduled tomorrow i. e. on 27.04.2016 and in all these matters except in

one matter, the respondent No. 4 is not served. As such, it would not be possible to consider the contentions raised by the petitioner.

6. Even otherwise the petitioner has an efficacious alternate remedy.

7. In light of the above, writ petitions are disposed of with no orders as to costs.

8. The petitioner may file election petition or take up such other remedy as may be permissible in law. All contentions of the petitioner are kept open.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 16