

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

4 WRIT PETITION NO. 6402 OF 2016

GANESH HARIBHAU KHANDVE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr.Kakde Yuvraj V.
AGP for Respondents State: Mr. M. B. Bharaswadkar

**CORAM : R. M. BORDE &
K. L. WADANE, JJ.**

DATE : 23th June, 2016

ORDER:

1. Heard learned counsel for the petitioner.
2. The petitioner alleges that respondent No.5 has presented false affidavit alongwith nomination papers. Respondent No.5 failed to disclose details of offences, if any, registered against him as well as details of criminal cases, if any, pending against him in the Court of law.
3. The petitioner tendered an application to respondent No.2- the Collector, Ahmednagar seeking disqualification of respondent No.5. However, the application has been rejected by the Collector on the ground of want of jurisdiction. We did not find any infirmity in the order passed by the Collector. It was

permissible for the petitioner to avail the appropriate remedy provided under the Act. Having failed to avail the remedy provided under the law, the petitioner approached the Collector, who does not have jurisdiction to take cognizance of the application.

4. No interference is called for. Writ petition stands dismissed.

(K. L. WADANE, J.)

(R. M. BORDE, J.)

JPC