

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7205 OF 2016

Amol Motiram Pawar

PETITIONER

VERSUS

The State of Maharashtra & others

RESPONDENTS

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Mr. B. S. Shinde h/f Mr. A. N. Irpatgire, Advocate for petitioner

Mr. S. N. Kendre, AGP for respondent-State

Mr. A. G. Vasmatkar h/f Mr. S. K. Kadam, Advocate for R-2 to R-4

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 29th JULY, 2016

ORDER :

1. Heard learned advocates for the parties.
2. The petition has been moved against non inclusion of about 120 persons, who according to learned advocate for the petitioner were enrolled as members and were voters in the elections of 2008, however, while provisional voters' list was published for ensuing elections in 2016, their names did not find place in the same. An objection had been purportedly taken by the petitioner, for their inclusion.
3. According to learned advocate, said objection had not been

taken into account and final voters' list had been published simply upon a comment by the secretary of the society that the ground given by the petitioners in the objection does not appear to be reasonable, whereas according to learned advocate for the petitioner in respect of similar objection, by some other person, about 125 persons' names have been included in the final voters' list, whose names had been not appearing in the provisional voters' list. Learned advocate thus, contends that two contrary orders are passed by the concerned authority.

4. The persons who are affected by their non inclusion are not before this court nor there is anything on record depicting that they have so authorized the petitioner to take up their cause before this court. Looking at that the elections have reached almost last lap wherein save polling, counting of votes and declaration of result, rest of the stages are already over, it is difficult to cause any interlude in the election programme which has reached to aforesaid stage.

5. In view of the same, this is not a case wherein interference in the election programme is required to be caused under the extra ordinary powers.

6. Writ petition, as such, is not being entertained and is

rejected.

7. This of course, shall not preclude the petitioner from proceeding with other remedies and recourses in accordance with law and facts.

[SUNIL P. DESHMUKH, J.]

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