

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3316 OF 2016

Samar Ramesh Patil	 Petitioner
V/s.	
The State of Maharashtra & Ors.	 Respondents

Mr. Sanjay Shivajirao Patil for the Petitioner.

Mr. Sachindra Bhaskar Shetye for Respondent No.3.

Mr. V.M. Mali, A.G.P., for the Respondent State.

CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 23RD MARCH 2016.

P.C. :

1. Heard learned counsel appearing for the respective parties.

2. By this Petition, filed under Article 226 of the Constitution of India, the Petitioner is challenging formation of Wards. The Draft Notification under Rule 5(2) of the Bombay Village Panchayats (Number of Members, Division into Wards and Reservation of Seats) Rules, 1966, framed under Maharashtra Village Panchayats Act, 1958, was issued on 28th January 2016 and objections were invited up-till 6th February 2016. Thereafter, the objections were heard by the Competent Authority on 14th and 15th February 2016. The Final Notification under Rule 5(1) of the said Rules was published on 28th February 2016. The Petitioner, however, objected the formation of Ward for the first time by his objections dated 29th

February 2016. The Petitioner did not file any objection within the stipulated date.

2. Be that as it may, Election Programme is already published on 18th March 2016. In accordance with the Election Programme, the nominations are to be filed between the period from 29th March 2016 to 2nd April 2016 and Polling is scheduled to be held on 17th April 2016.

3. In the above circumstances, we are not inclined to entertain this Petition; especially, when an alternate efficacious remedy is available to the Petitioner. The Petition is dismissed.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]