

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 178 OF 2016

(SUDHAKAR BAPUJI MEDPALLIWAR...VS..THE STATE OF MAH. & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : JANUARY 22, 2016.

Heard Shri M.V.Samarth, advocate for the
petitioner and Ms Rashi Deshpande, A.G.P. for the respondent
Nos. 1 and 2.

Considering the submissions made in paragraph
No.5 of the affidavit filed on behalf of the respondent NO.2-
District Co-operative Election Officer, it is clear that the
disputed questions of facts are involved which cannot be
considered at this stage in the writ petition.

The election programme is already declared and
the process has started. In the circumstances, it would not be
proper for this Court to interfere in the writ jurisdiction.

The petition is **dismissed**. In the circumstances,
the parties to bear their own costs.

It is clarified that the legality of the challenge
raised in this petition has not been examined by this Court
and it would be open for the petitioner to raise the challenges
in appropriate proceedings.

CAW NOS. 139/2016 & 128/2016

In view of disposal of the writ petition the civil applications for intervention do not survive and they are disposed of as infructuous.

JUDGE

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