

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.4796/2016

WITH

CIVIL APPLICATION NO. 1904/2016

(Vaibhav Shyam Bompilwar and others vs. Deputy Registrar, Cooperative Societies, Yavatmal and another vs. Gajendra s/o Balasaheb Deshmukh)

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

Court's or Judge's order

Mr. J.S.Wankhede, Advocate for the petitioners
Ms. Ritu Kalia, Assistant Government Pleader
for Respondent Nos.1 & 2
(Mr. K.S.Narwade, Advocate for the applicant)

CORAM : B.R. GAVAI &
V.M. DESHPANDE, JJ.

DATED : 26th August, 2016

Heard.

When the matter was listed before this Court on 20th August 2016, it was informed that though an objection was taken by the petitioners to the provisional voters' list, without deciding the same, the final voters' list was published.

In that view of the matter, we had granted interim relief directing that the election programme shall not be declared, until further orders.

The applicant has filed the Civil Application for vacating the interim relief. Perusal of the documents annexed to the Civil Application would show that the petitioners had neither annexed the programme published by the District Deputy

Registrar regarding finalisation of the voters' list nor the election programme which was already notified much prior to filing of the Petition. As a matter of fact, the last date for submission of the nomination papers was 16th August, 2016. Had the petitioners annexed the election programme to the petition, the interim order which was granted, would not have been granted by this Court. We are, therefore, of the considered view that the interim relief has been obtained by the petitioners by suppressing material facts. The Writ Petition is rejected on this sole ground.

CIVIL APPLICATION NO. 1904/2016:

In view of dismissal of the Petition, no orders are necessary on the Civil Application. The same is disposed of as such.

JUDGE

JUDGE

sahare

C E R T I F I C A T E

“ I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.”

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