

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

905 WRIT PETITION NO. 341 OF 2017

SUBHASH PHULCHAND BAINADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioners : Mr. V.R. Gore
AGP for Respondents No.1 & 2:Mr. S. B. Joshi

CORAM : V. M. KANADE & SANGITRAO S. PATIL, JJ.
Date: January 20, 2017

PER COURT :-

1 Heard learned counsel for the petitioner.

2 Grievance of the petitioner is that, he has made request to respondent No.2 to permit him to contest election. However, his request was turned down on the ground that, there is no such provision in the Rules. Learned counsel appearing for petitioner invited our attention to Rule 23. He submits that in view of the said Rule, the respondent No.2 should have considered his request to permit him to contest the election.

3 We have perused Rule 23. Rule 23 speaks about seeking permission to attend political programme or meetings. It does not contemplate a full time employee contesting election. Rule 24 in turn defines 'employee' means full time employee. We, are therefore not inclined to accept the interpretation sought to be given to Rule 23 by learned counsel for the petitioner. It is apparent that permission to contest election does not form part of Rule 23. Petition, therefore, is devoid of any substance. Petition is dismissed.

(SANGITRAO S. PATIL, J.)

(V. M. KANADE, J.)