

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1474 OF 2017

Narayan S/o Sitaram Landge

Petitioner

Versus

The State Election Commission
for State of Maharashtra
through Secretary and others

Respondents

Mr.T.G. Gaikwad advocate for the petitioner
Mr. A.S.Shinde, AGP for Respondent No.2 & 3
Mr. S.T. Shelke advocate for respondent No.1.

CORAM : V.M. KANADE &
SANGITRAO S. PATIL, JJ

(Date : 1st February, 2017.)

PER COURT :-

- 1 Heard learned advocate appearing for the petitioner.
- 2 The grievance of the petitioner is that, names of 34 persons have been wrongly included in the final voters list. It is submitted that, all these persons are neither residents of the village nor they carry on any occupation. It is submitted that, they have not submitted relevant documents. The petitioner, therefore, filed objection with the Tahsildar. The Tahsildar made an enquiry and by a detailed order has rejected the objection raised by the petitioner.

3 Learned counsel appearing for the petitioner submits that, the impugned order does not indicate the fact that no documentary evidence is produced and the petitioner being resident of the said village knows that, these persons are not residing in the said village. He has further submitted that, therefore the names of those persons should be deleted from the final voters list.

4 Mr. S.T.Shelke, learned counsel appearing on behalf of respondent No.1 submits that, the Tahsildar has passed a very reasoned order, in which he has observed that, the relevant documents are considered and thereafter on the basis of those documents, the objection raised by the petitioner was rejected. Secondly, he submits that for Zillha Parishad elections, the voters list of the Assembly and Lokasabha elections is adopted and as such, there is no question of either addition or deletion of names of the voters. He further submits that, petitioner has an alternative remedy of filing appeal to the Sub Divisional Office or Collector.

5 We are not satisfied with the submissions made by learned counsel appearing on behalf of the petitioner. We have perused the impugned order passed by the Tahsidlar. We are satisfied

that the Tahsidlar has considered all the contentions raised by the petitioner and has given reasons why he was of the opinion that, the names of these persons were rightly included in the voters list. We are not, therefore, inclined to interfere with the said order passed by the Tahsidlar.

Keeping all the contentions raised by the petitioner open, with liberty to file an appropriate proceedings, the petition is dismissed.

(SANGITRAO S. PATIL, J)

(V.M. KANADE, J)