

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

114 WRIT PETITION NO. 1936 OF 2017

KANTILAL ABHIMAN PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Patil Vinod Prakash- Absent
Addl.GP for Respondents: Mrs. M. A. Deshpande
Advocate for Respondents 2 and 5: Mr. S. T. Shelke

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 13th February, 2017

ORDER:

1. None appears for the petitioner. According to the pleadings of the petitioner, he had approached the respondent authority for withdrawal of nomination on the last date of nomination at 2.45 p.m. He was standing in queue and when his turn came, it was 3.01 p.m. When the petitioner was in queue at 3 O'clock, his application for withdrawal ought to have been accepted.

2. According to the learned counsel for respondent Nos. 2 and 5, application came to be forwarded at 4.47 p.m. i.e after the time period came to an end. The learned AGP submits that now the EVM machines are also sealed and polling is on 16.02.2017.

3. Considering the above, it would not be possible for us to entertain the petition at this stage. Writ petition as such stands disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)