

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11897 OF 2017

SUREKHA PRAKASH KAMBLE
VERSUS
THE STATE ELECTION COMMISSION AND OTHERS

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Advocate for Petitioner : Shri Tandale Tushar M.
AGP for Respondents - State authorities : Shri Tambe S.K.
Advocate for Respondent - SEC : Shri Shelke S.T.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: September 27, 2017

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PER COURT :-

1. The petitioner is aggrieved by the acceptance of the nomination forms of respondent Nos.4 and 5. It is contended that the impugned order at pages 84, 85 and 93 of this petition paper book, would reveal that the forms were rejected by the Returning Officer by writing in Marathi as "अवैध" (invalid). Later on it is changed by scoring the first Marathi letter "अ" and the remaining portion being maintained as "वैध" (validated).

2. Another ground raised by the petitioner is that these candidates have not furnished the proof of pending caste claim validation proposal, as is required under Section 10(1)(A) of the Act.

3. Since disputed questions have been raised in the petition, this petition cannot be entertained.

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4. This petition is, therefore, disposed off, with liberty to the petitioner to avail of a legally permissible remedy in the event respondent Nos. 4 or 5 are elected in the ensuing elections.

(RAVINDRA V. GHUGE, J.)

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