

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

WRIT PETITION NO. 11922 OF 2017

PUNAMCHAND NIMCHAND BHAGURE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER.

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Advocate for the Petitioner : Shri Murkute J.M.
AGP for Respondent 1/ State : Shri N.T.Bhagat.
Advocate for Respondent 2 : Shri S.T.Shelke.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 28th September, 2017

Per Court:

1 This matter was extensively heard yesterday at about 09:00 pm and was posted today for passing orders.

2 The Petitioner is aggrieved by the impugned order dated 25.09.2017 passed by the Returning Officer by which the nomination form of the Petitioner has been rejected since it was noticed that the Petitioner has in all six children, three children having been born before 12.09.2001, which is the cut off date, and three children after the cut off date.

3 The contention of the Petitioner is that bogus documents have been produced by the objector and on the basis of which, the nomination form of the Petitioner has been invalidated.

4 I find that disputed questions have been raised in this petition

as regards whether, the Petitioner has six children, whether, three children, out of six, are born after the cut off date and whether, any person has produced bogus documents to seek the invalidation of the Petitioner's nomination form. Such disputed questions cannot be gone into in the writ jurisdiction of this Court.

5 As such, this Writ Petition is disposed of on the ground that disputed questions cannot be gone into.

6 Needless to state, if the Petitioner desires to avail of a remedy as is permissible in law, such liberty shall be available to the Petitioner.

kps

(RAVINDRA V. GHUGE, J.)