

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

WRIT PETITION NO. 11921 OF 2017

CHHAYA DHARMRAJ KAPSE
VERSUS
THE MAHARASHTRA STATE ELECTION COMMISSION THROUGH
ITS COMMISSIONER AND OTHERS

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Advocate for Petitioner : Shri S.K.Chavan h/f Shri Salunke Sudarshan J.

AGP for Respondents/ State : Shri N.T.Bhagat.

Advocate for Respondent / Election Commission : Shri S.T.Shelke.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 28th September, 2017

Per Court:

1 The Petitioner is challenging the validation of the nomination form of Respondent No.5.

2 I have considered the submissions of the learned Advocates for the respective sides.

3 Certain disputed issues with regard to the actual date of birth of Respondent No.5, especially in the light of the affidavit that she has submitted on 22.09.2017 before the Returning Officer, have been raised in this petition.

4 Considering the above, the learned Advocate for the Petitioner submits, on instructions, that the Petitioner desires to withdraw

this petition with liberty to challenge the election of Respondent No.5, if she is so elected, before an appropriate form.

5 As such, this Writ Petition is disposed of as withdrawn with liberty as prayed for.

kps

(RAVINDRA V. GHUGE, J.)