

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

WRIT PETITION NO.11993 OF 2017

SHAIKH HASINA HASAN.

-VERSUS-

THE STATE ELECTION COMMISSION AND ANOTHER.

...

Shri K.J.Suryawanshi, Advocate for the Petitioner.

Shri S.K.Tambe, AGP for the Respondents/ State.

Shri S.T.Shelke, Advocate for the Respondents/ Election Commission.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 28th September, 2017

Per Court:

1 Not on Board. Mentioned. Taken on the Production Board.

2 In this petition filed today, the Petitioner assails the validation of her nomination from a wrong category.

3 The contention is that this has happened with many candidates and the Returning Officer has committed several errors in changing the constituencies/ categories from which the candidates like the Petitioner desire to contest the Village Panchayat elections.

4 The learned Advocate for the State Election Commission and the Returning Officer submits that after the date for withdrawal of nominations was over yesterday, the concerned Authorities have

commenced the preparation of the list of validly nominated candidates from 03:00 pm yesterday.

5 The learned Advocate for the Petitioner submits, on instructions, that the Petitioner does not desire to contest the election from the category for which her nomination has been wrongly accepted. The Petitioner, therefore, desires to withdraw the nomination as well as this petition.

6 Considering the above, this Writ Petition is disposed of as withdrawn with liberty to avail of a legal remedy as may be permissible in law.

7 The statement of the Petitioner, present in the Court, that she does not desire to contest the election from the said category is recorded.

8 Shri Shelke may assess the situation and if the list of validly nominated candidates for the elections of the Gram Panchayat, Pimparkheda, Taluka Gangapur, District Aurangabad has not been prepared, the name of the Petitioner may be deleted from the validly nominated list of candidates.