

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.472 OF 2017

Vishwanath Vittal Patil & Ors.

.. Petitioners

Vs.

The State of Maharashtra & Ors.

.. Respondents

.....

Mr. G. S. Godbole, Senior Advocate a/w. Mr. Prashant Bhavake,
Advocate for the petitioner.

Ms. R. M. Shinde, AGP for Respondent No.1.

Mr. A. B. Borkar, Advocate for Respondent No.2.

Mr. H.S. Venegaonkar a/w. Mr. A.L. Bhise, Advocate for the
Intervenor.

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**CORAM : SHANTANU S. KEMKAR AND
PRAKASH D. NAIK, JJ.**

DATED : JANUARY 16, 2017.

P.C. :

Not on Board. Production of the papers are allowed
at 3.00 p.m.

2 After arguing the matter for some time, learned
Counsel for the petitioners made a limited prayer that this
petition may be disposed of with liberty to the petitioners to
submit a detailed representation in regard to the reliefs claimed
in the petition before respondent no.1.

3 Without commenting upon the merits of the matter and the petitioners' entitlement to seek the reliefs claimed in the petition on the representation, we dispose of the petition by giving liberty to the petitioners to submit such representation before respondent no.1.

4 On receipt of the same, respondent no.1 shall examine it and take decision in accordance with law as early as possible and preferably within ten days from the date of receipt of this order.

5 In regard to the submissions made at the instance of the intervenor that the reliefs claimed in the petition cannot be granted as the election programme has already been declared, needless to say that as already pointed out, we have not commented upon the merits of the matter nor we have said that the authority should decide the representation in favour of the petitioners. We have only said that the representation should be considered and decided in accordance with law.

6 We also grant liberty to the intervenor to submit

objection to the prayer of the petitioners before the first respondents.

7 Petition is accordingly disposed of.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)