

pdp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1599 OF 2017

Mrs. Rupali Chandrashekhar Patil

.. Petitioner

Vs.

1. Election Returning Officer & anr.

.. Respondents

Mr. A. V. Anturkar, Senior Advocate i/by Mr. S. B. Deshmukh for petitioner.

Mr. S. B. Shetye for respondent no.1.

Mr. S. M. Gorwadkar, Senior Advocate a/w Kuldip T. Pawar i/by Ravi Girish Shinde for respondent no.2.

CORAM: NARESH H. PATIL &
M. S. KARNIK, JJ.

FEBRUARY 06, 2017.

P.C.

1. Not on board, mentioned and therefore, taken on board.
2. Petitioner raises objection to the nomination of respondent no.2. Said objection was rejected by the respondent no.1 on 4/2/2017. The petitioner seeks direction to respondent no.1 to decide the objection immediately, by holding that respondent no.2 is disqualified to contest the election. Petitioner's nomination paper has also been accepted. The

another defect pointed out is in respect of the certificate of no dues submitted by the respondent no.2. The name of respondent no.2 does not match as mentioned in the said certificate. The name of the respondent no.2 finds place in two different wards i.e. Ward No.15 and Ward No. 38.

3. In the facts, we are not inclined to interfere at this stage. We find that the petitioner has an alternate efficacious remedy under Section 16 of the Maharashtra Municipal Corporation Act, 1949. Petition is dismissed.

(M. S. KARNIK, J.)

(NARESH H. PATIL,J.)