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

**WRIT PETITION NO. 1631 OF 2017**

Mrs. Nasim Anwar Shaikh ...Petitioner  
Vs.  
Pune Municipal Corporation & Ors. ...Respondents

Mr. P.J. Thorat for the Petitioner  
Ms. R.A. Salunkhe, AGP for the State  
Mr. A.P. Kulkarni for Respondent Nos. 1 to 3  
Mr. S.B.Shetye for Respondent No.4

**CORAM : NARESH H. PATIL &  
M.S. KARNIK, JJ.  
DATED : 7<sup>TH</sup> FEBRUARY, 2017**

**P.C. :**

The Petitioner's nomination paper came to be rejected by the Returning Officer on 4<sup>th</sup> February, 2017 and the copy of the said order was handed over to the Petitioner on 5<sup>th</sup> February, 2017.

2. Learned Counsel appearing for the Petitioner submits that in other cases Returning Officer had accepted the nomination paper on the identical plea raised by the Candidates while filing nomination papers or at the time of scrutiny, but in case of the Petitioner the nomination paper was rejected. It is further submitted that the

Petitioner had contested the last election.

3. Learned Counsel appearing for the Election Commission Shri Shetye submits that the Returning Officer found that the name of the Petitioner appearing in the nomination paper is entirely different from the caste certificate produced by the Petitioner. Therefore, the nomination paper was rightly rejected.

4. In the facts we are not inclined to exercise our writ jurisdiction. The election process is already set in motion. Today's date is fixed for withdrawal of candidature.

5. We, therefore, observe that the Petitioner is at liberty to resort to appropriate statutory remedy after the election results are declared.

6. The Registry to forward copy of this order to the State Election Commissioner for report.

7. The Petition is accordingly rejected.

(M.S. KARNIK, J.)

(NARESH H. PATIL, J.)