

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1628 OF 2017

Miss. Kavita Gopinath Gurav .. Petitioner
Vs.
The Chief Election Commissioner,
Maharashtra State and ors. .. Respondents

Mr.Karan Bhosale i/b Mr.R.D.Suryawanshi, for the Petitioner.
Mr.Vikas Mali, AGP for State.
Mr.J.G.Reddy (Aradwad), for Respondents No.3 & 4.

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

07th FEBRUARY, 2017

PC. :

. The petitioner's nomination paper came to be rejected on the ground that the proposer and seconder of the petitioner are registered voters in different wards. Learned Counsel appearing for the petitioner submitted that the provisions of Rule 9(4) of the Election Rules of the Maharashtra Municipal Corporations Act have to be considered as directory and not mandatory. This submission was opposed by the learned Counsel appearing for the other side.

2. We perused the record as well as relevant Rules. The election process has already set in motion. Today's date is fixed for withdrawal of candidature. In the facts, at this stage, we are not inclined to exercise our writ jurisdiction. However, the Petitioner is at liberty to resort to appropriate statutory remedy after the election results are declared.

3. The Petition is accordingly rejected.

(M.S.KARNIK, J.)

(NARESH H. PATIL, J.)