

2. Learned Counsel appearing for the petitioner seeks leave to amend the petition. Leave is granted.
3. The petitioner filed a nomination paper on 3rd February, 2017.

Scrutiny was done on 4th February, 2017. Petitioner did not file the nomination paper alongwith the deposit as prescribed under the Rules. The amount of deposit was fixed at Rs.5000/-.

4. Learned Counsel appearing for petitioner submits that even on the date of scrutiny, the petitioner can deposit the said amount. Reliance was placed on the rules framed under the Maharashtra Municipal Corporation Act, 1949.

5. We have perused the order passed by the Returning Officer. The nomination paper of the petitioner came to be rejected as the same violated the provisions of Rule 10(1) of the Maharashtra Municipal Corporation Act, 1949. The order was passed on 6th February, 2017.

6. In the facts, we are not inclined to interfere under the writ jurisdiction of this Court. The election process is set in motion. The petitioner has alternate statutory remedy under the Maharashtra Municipal Corporation Act, 1949. Petition stands rejected.

(M.S. KARNIK, J.)

(NARESH H. PATIL, J.)