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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1707 OF 2017

Kalpana Rajendra Barve

..Petitioner

Vs.

1. Maharashtra State Election Commission & ors.

..Respondents

Mr. A. M. Kulkarni for petitioner.

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

Mr. P. M. Patil for respondent no.2.

Ms. R. A. Salunkhe, AGP for State.

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

FEBRUARY 08, 2017.

P.C.

1. The petitioner's nomination paper came to be rejected as the Proposer did not sign. Learned counsel for the petitioner submits that the Proposer was present along with the petitioner. It was the duty of the officer concerned to point out the said defect and if it was pointed out, the Proposer would have signed. Reliance is placed on the communication

made by the Deputy Commissioner addressed to the Commissioner dated 5/2/2017.

2. In the facts, no interference is warranted. The election process is set in motion. Petitioner is at liberty to resort to alternate statutory remedy under Section 16 of the Maharashtra Municipal Corporation Act, 1949.

3. Petition is dismissed.

(M. S. KARNIK, J.)

(NARESH H. PATIL,J.)