



entertainment tax. b) He has been residing in the house which was constructed illegally. In respect of the same, communication 21/01/2017 made by the Executive Engineer addressed to the petitioner was submitted and placed before the Returning Officer. By order dated 04/02/2017, the Returning Officer rejected the objection.

3. Learned Counsel for the petitioner submits that in view of Section 10(1) and 10(1)(d) of Maharashtra Municipal Corporation Act, 1949 (for short 'Act') the Returning Officer ought to have accepted the objection and rejected the nomination papers.

4. We have heard the learned Counsel appearing for the respondents No. 27- State Election Commission. The election process is set in motion. The petitioner has statutory alternate remedy under Section 16 of the Act.

5. In 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.

6. The Petition is accordingly rejected.

(M.S.KARNIK, J.)

(NARESH H. PATIL, J.)