

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

WRIT PETITION (ST.) NO.14174 OF 2017

Mr.Patil Sachin Ashok

.. Petitioner

vs.

Election Commission of Maharashtra & Ors.

.. Respondents

Mr.Amit A. Gharte for the petitioner

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

Mr.B.V.Samant, A.G.P. for the respondent no.4

CORAM : K. K. TATED &

A.K. MENON, JJ.

DATE : MAY 8, 2017

(VACATION COURT)

PC.:

1 Heard the learned counsel for the parties.

2 By this petition, the petitioner seeks an order against respondent no.2 to accept the nomination form of petitioner from Ward No.17 for the Bhiwandi Nizampur City Municipal Corporation, Election 2017. It is his case that the last date of submitting the nomination form was 6.5.2017 upto 3 p.m. by physical mode and that he was late by 6 minutes in submitting the form. Although he had registered the form online he could not submit the form by the deadline owing to heavy rush. Mr.S.B.Shetye for respondent no.1 disputes this contention. He

submits that Returning Officer, respondent no.2 can identify the exact time when the form was submitted. Respondent no.2 is however, not represented. There is no proof of service upon respondent no.2. At this stage, the learned counsel for the petitioner states that respondent no.2 was served again at 2 p.m. Admittedly, the form was not submitted before 3 p.m. although the petitioner had an opportunity of submitting the form from 29.4.2017 onwards.

3 In the circumstances, we find no case for grant of any relief. Ad-interim relief refused.

4 Nothing survives in the petition. Hence, Writ Petition stands disposed of. Advocate for the Petitioner undertakes to remove office objection.

(A.K.MENON, J.)

(K.K.TATED, J.)