

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.5637 of 2017

Sau. Naseen Bano Shaikh Mukhtar Ali. ..Petitioner.
vs.
The Returning Officer and ors. ..Respondents.

Mr. Rupesh Geete i/by Mr.A.A.Khan for the Petitioner.
Mr. S.S.Parwardhan for Respondent No.1.
Mr. Manish R. Bohra i/by S.B.Shetye for Respdnent No.2.

CORAM : A.S.GADKARI &
C.V. BHADANG, JJ.
DATE : 19th May, 2017
(Vacation Court)

PC:

The petitioner has challenged the order dated 8.5.2017 passed by the Returning Officer appointed to conduct the elections of the Malegon Municipal Corporation. The nomination form of the petitioner is rejected on the ground that after the cut off date i.e. 12.9.2001 he gave birth to the third child, The petitioner, therefore under Section 10(1)(i) of the Maharashtra Municipal Corporation Act is not entitled to contest the election of the said Corporation. According to us the impugned order passed by the Election Officer does not suffer from any illegality or perversity and does not call for any interference in our jurisdiction under Article 226 of the Constitution of India. Petition is accordingly rejected.

(C.V. BHADANG, J).

(A.S.GADKARI, J.)