

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

**CIVIL APPLICATION NO.2328 OF 2017
IN
WRIT PETITION NO. 9956 OF 2017**

Sharvari Avinash Gotarne & Anr. ... Applicants
Vs

IN THE MATTER BETWEEN:

Kavita Bharat Vairage ... Petitioner
V/s.

The State Election Commission & Ors. ... Respondents

...

Mr. N. P. Deshpande for the Applicants.

Mr. V. P. Sawant a/w Nitin Dhumal for Respondent/Original
Petitioner.

Mr. Abhijit P. Kulkarni for Respondent Nos. 2 and 3.

Mr. Mayur Jadhav i/b. Mr. S. B. Shetye for the Respondent No.1.

Ms. Nisha Mehra, AGP for the State.

**CORAM : SMT. VASANTI A NAIK &
RIYAZ IQBAL CHAGLA , JJ.**

DATE : 9th NOVEMBER, 2017.

P.C. :

By this Civil Application, the applicants seek the
impleadment of the applicants as party respondents.

According to the applicants, they had contested the
election to the Municipal Corporation along with the petitioner and
the petitioner was declared elected. It is stated that since the
petitioner could not submit the caste validity certificate within the

prescribed time the petitioner apprehended that an order of his disqualification would be passed. The petitioner has, therefore, approached this Court for seeking the appropriate relief. The petitioner has secured the validity certificate during the pendency of the petition. The applicants who had contested the election to the Municipal Corporation cannot be said to be necessary parties in this writ petition. No relief is sought against the applicants and the dispute if any, is referable to the petitioner on one hand and the respondent authorities on the other.

In view of the aforesaid, we reject the prayers made in the application. The civil application stands rejected.

(RIYAZ I. CHAGLA, J.)

(SMT. VASANTI A. NAIK, J)