

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13688 OF 2016

Shri Dinkar Mahadev Shinde .. Petitioner

Vs.

The State Election Commissioner and ors. .. Respondents

Mr.Sachin Dhakephalkar, for the Petitioner.

Mr.S.B.Shetye, for Respondent No.1.

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

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

09th JANUARY, 2017

P.C. :

. The petitioner raises following objections.

a) According to the directions issued by the State Election Commission reservation for women was shown in electoral college and electoral division of Yashwant Nagar.

b) Since last 2 to 3 elections, these colleges and divisions are shown to be reserved.

c) The divisions and colleges were not formed in accordance with geographical condition.

2. The respondents filed affidavit.

3. We have heard learned Counsel for the State Election Commission. Map was placed before us to demonstrate the location of Yashwant Nagar and Bavdhan divisions and colleges.

4. It has been informed by the learned Counsel appearing for the State Election Commission that electoral divisions and colleges are carved out in accordance with geographical suitability as far as possible. Part of the area is hilly area which was taken into consideration. The last preceding census figures published in the year 2011 are the basis for reserving and rotating of the seats. It was further explained that reservation in favour of SC and ST women would not go contrary to the directions of the Election Commission.

5. We have considered the material placed on record. Reservation of the seats in favour of women candidate is based on published figures of last preceding census. Some of the area

of these divisions is hilly area, therefore, while carving out these divisions and colleges, the Commission had taken care and as far as possible, the divisions and colleges were formed accordingly. Learned Counsel submitted that objections to the ward formation was called and objections were submitted. The Commission authorities granted personal hearing to the objectors and thereafter ward formulation was finalised on 25/11/2016.

6. Election programme is to be declared shortly. In view of the explanation given on behalf of the Election Commission and in the facts, we are not inclined to interfere in the matter. Writ Petition is dismissed.

(M.S.KARNIK, J.)

(NARESH H. PATIL, J.)