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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14098 OF 2016

Shri Mahesh Ingale and anr.

.. Petitioner

Vs.

The Commissioner of Thane
Municipal Corporation and ors.

.. Respondents

Mr. B. D. Joshi for petitioner.

Mr. Mandar Limaye for respondent no.1.

Mr. S. B. Shetye for respondent no.3.

Mrs. M. P. Thakur, AGP for State.

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

JANUARY 12, 2017.

P.C.

1. Learned counsel appearing for the Election Commission submits that the election is declared in the State. Learned counsel tendered communication dated 11/1/2017.

2. The issue raised by the petitioner is that when draft ward formation notification was issued, the Commissioner called for objections and suggestions to the draft to be submitted to the Municipal Commissioner. Under the prescribed procedure, the Commissioner would look into the objections and suggestions, if any and publish a final draft

notification.

3. The petitioner's precise grievance is that the persons / voters at large would not be in a position to know as to the nature of objections and suggestions submitted to the draft notification. Therefore, the suggestion is given that the Election Commission would publish to the knowledge of public at large specific objections and suggestions submitted to the Commissioner.

4. As on today, under the established practice and procedure, such a procedure is not available under the guidelines issued by the State Election Commission.

5. Learned counsel Shri Shetye appearing for the Election Commission submits that allegations that the objections and suggestions submitted with the authorities are not looked into properly or at times the authorities get influenced in case the objections are submitted by resourceful persons or politically connected person are unfounded. The officers entrusted with the duty to conduct elections would take every step in accordance with law to hold free and fair election. The counsel submits

that Election Commission is free to receive any good suggestions for conducting the elections in a transparent manner.

6. We have heard the learned counsel for the respective parties. The above stated suggestions made on behalf of the petitioner would be looked into by the Election Commission and the Commission would contemplate on the suggestions for holding free, fair and transparent elections in future.

7. Petition is disposed of accordingly.

(M. S. KARNIK, J.)

(NARESH H. PATIL,J.)