

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

PUBLIC INTEREST LITIGATION NO. 112 OF 2016.

(Adv. Ashish s/o Nandkishor Jaiswal .vs. The State of Maharashtra & others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Mr. M.P. Khajanchi, Advocate for petitioner,
Mr. Sunil V. Manohar, Senior Counsel with Mr. S.M. Ukey,
Addl. G.P. for the Respondent Nos. 1 & 2.
Mr. Anand Parchure, Advocate for respondent no.3.

CORAM : B.R. GAVAI & S.B. SHUKRE, JJ.

DATED : JANUARY 12, 2017.

The issues involved in the present Public Interest Litigation are inter-connected with the issues in Writ Petition No. 6672/16. Vide reasoned judgment and order of the even date, we have dismissed the said petition. The issues involved in the present petition have also been considered in the said petition.

In so far as the prayer clause (a) is concerned, in view of subsequent development, i.e. the notification dated 25.10.2016 constituting Parshivni Nagar Panchayat, the petition has served its purpose.

In so far as the prayer clause (aa) is concerned, in view of the orders passed in Writ Petition No. 6672/16 today, no further orders are necessary.

In so far as the prayer clause (aa-1) is concerned, it is seeking a mandamus to the State Election Commission to hold the elections within a period of six months from the date of constitution of Parshioni Nagar Panchayat, i.e. 25.10.2016. As

argued by Mr. Anand Parchure, learned Counsel for respondent no.3 in Writ Petition No. 6672/16, the powers of the State Election Commission are almost analogous to the powers of the Election Commission of India as per Article 324 of the Constitution of India. Mr. Anand Parchure, learned Counsel for respondent no.3, submits that since the State Election Commission is almost a constitutional authority, there is no reason to doubt that it will act as per the mandate of the Constitution of India.

In that view of the matter, we do not find that any such directions are necessary at this stage.

With the above observations, the P.I.L. stands disposed of.

Judge

Judge

J.