

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2181 OF 2018
(Gotiram Naru Pavra Vs. The Tahsildar, Shirpur and others)

Mr.U.B.Shriram h/f Mr.D.S.Bagul, Advocate for the petitioner.
Mr.V.S.Badakh, AGP for respondent No.1.
Mr.S.T.Shelke, Advocate for respondent No.2.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 23/02/2018

PER COURT :

1. The petitioner is aggrieved by the order dated 14/02/2018 passed by the Returning Officer, by which the objections raised by the petitioner to the nomination form of respondent No.4, have been rejected.
2. Contention is that respondent No.4 is a biological mother of 3 children namely Nakshatra Kailas born on 05/11/2012 and two children born on 29/06/2016 and 09/12/2017.
3. The material available before the Returning Officer was only with regard to the two girl children namely Nakshatra Kailas and Nandini Kailas. There was no evidence to indicate that a third biological child was born to respondent No.4.

4. Considering the above, on the basis of the material available, I do not find that the impugned order could be termed as being perverse or erroneous.

5. This petition, being devoid of merit, is therefore, dismissed. Needless to state, the Maharashtra Gram Panchayat Act provides for a remedy to any aggrieved person who alleges that the returned candidate has more than 2 biological children, who are born after the cut off date 12/09/2001. The petitioner would be at liberty to avail of such a remedy.

(RAVINDRA V. GHUGE, J.)