

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2178 OF 2018
(Manda Laximan Waghmare Vs. The Election Commissioner and
others)

Mr.G.J.Kore, Advocate for the petitioner.
Mr.S.T.Shelke, Advocate for respondent Nos.1 and 2.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 23/02/2018

PER COURT :

1. The petitioner is aggrieved by the rejection of her nomination form by the order of the Returning officer dated 14/02/2018.
2. I have considered the strenuous submissions of the learned Advocate for the petitioner.
3. The Constituency for which the petitioner was intending to contest the election, was reserved for the OBC (Women) category. Her caste claim belonging to "Mali" community should either be pending or her claim should be validated. If the claim is pending, fresh evidence regarding the pending claim has to be annexed to the nomination form and that can be a ground for acceptance of the nomination.

4. Record reveals that the caste claim of the petitioner has already been returned by the competent Committee and as on the date of filing of the nomination form, her claim for validation was not pending before any Committee.

5. Considering the above, I do not find that the Returning Officer has committed any error in rejecting the nomination form of the petitioner.

6. This petition, being devoid of merit, is therefore, dismissed.

(RAVINDRA V. GHUGE, J.)