

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD***

WRIT PETITION NO.12906 OF 2018

Ravan Tulshiram Navale

... Petitioner

Versus

The State Election Commission
& others

... Respondents

Mr. P.D. Bachate, Advocate for the Petitioner.

Mr. S.T. Shelke, Advocate for Respondents no. 1 and 2.

Mr. A.S. Sawant, Advocate for Respondent no. 3.

Coram : N.M. Jamdar, J.

Date : 26 November 2018.

Per Court :

1. Heard learned counsel for the petitioner.
2. Petitioner has challenged acceptance of nomination paper of respondent. According to the petitioner, respondent is not entitled to contest the election on the ground that he has given birth to third child after the cut off date.

3. For this purpose, there has to be a factual adjudication and, since petitioner has alternate remedy of filing election petition and that the election process has already commenced, writ petition is disposed of for the above reason.

N.M. Jamdar, J.