

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

908 WRIT PETITION NO.3596 OF 2019

SONALI SHIVLING SAGAR
VERSUS

THE STATE ELECTION COMMISSIONER THROUGH
COLLECTOR OSMANABAD AND ANOTHER

...

Advocate for Petitioner : Mr. Naiknavare Ramesh V.

AGP for Respondents : Mr. K.S. Patil

Advocate for Respondent Nos.1 & 2 : Mr. A.B. Kadethankar

...

**CORAM : P.R. BORA, J.
DATED : 14th March, 2019.**

PER COURT:-

. The grievance of the petitioner is that her nomination has been rejected by the Returning Officer for wrong reasons. It is her contention that though in the voters list, her name after marriage appears and the caste certificate possessed by her is in her maiden name, alongwith her nomination form, she has submitted an affidavit clarifying the said fact that in the voters list her name after marriage is appearing but the caste certificate which she has filed is in her maiden name.

2. Shri Kadethankar, the learned counsel appearing for the respondents has tendered across the bar, the communication received from the Returning Officer informing that no such affidavit has been filed by the

(2)

petitioner. When no such affidavit is filed by the petitioner, no error can be said to have committed by the Returning Officer in rejecting the nomination of the petitioner to contest the election from the constituency reserved for the candidates belonging to the Other Backward Class since, admittedly there is no caste certificate on record in the name of the petitioner as is appearing in the list of voters and there is nothing on record showing that the caste certificate filed on record is of the petitioner in her maiden name though in the voters list, the name as is appearing is her name after marriage. No interference is therefore warranted in the impugned order.

3. The writ petition being devoid of any substance deserves to be dismissed and is accordingly dismissed.

(P.R. BORA, J.)

Mujaheed//