IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 6739 OF 2019

Mr. Dilip s/o Shivaji Munde Petitioner

Versus

The State of Maharashtra & others Respondents

Mr. P.D. Bachate, advocate for petitioner.
Mr. A.R.Kale, AGP for Respondents No.1, 3 and 4.
Mr. S.T.Shelke, advocate for Respondent No.2.

CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 10th June, 2019

PER COURT:

1 Mr.Bachate, learned Counsel for the petitioner, submits that the petitioner had filled in the nomination form for the bye-election of Ward No.3 of Village Panchayat, Arbujvadi, however, the form could not be logged in though it was registered. The learned Counsel submits that even complaint was made by the petitioner on 6th June, 2019 and a request was made to the authorities to accept the manual form, however, the same was not accepted. He, therefore, submits that Respondents be directed to accept the nomination form of the petitioner.

2 Mr.Shelke, learned Counsel appearing for Respondent-State Election Commission, submits that the other candidates could successfully submit the form online and those were accepted. He submits that all stages of submission of nomination form and scrutiny thereof are over. Today is the date for

withdrawal of nomination forms and allotment of symbols. The nomination forms, now, cannot be accepted.

3 We have also heard learned AGP for Respondents No.1, 3 and 4.

4 On perusal of the election program, it is manifest that the last date for submission of nomination forms was 6th June, 2019. The scrutiny was to be held on 7th June and 10th June was the last date for withdrawal of nomination forms and allotment of symbols.

5 The petitioner has approached this Court on 9th June, 2019 i.e. after the date of scrutiny of nomination forms is over. In writ jurisdiction, it will not be possible for us to consider the contentions of the petitioner, whether he has legally filled in the form and such form could not be logged in. Now, it would not be possible for us to set the clock back.

6 Considering the above, petitioner cannot be granted relief. Petitioner may take appropriate steps as permissible in law. Petition stands dismissed. All contentions of the parties are kept open. No costs.

MANGESH S. PATIL
JUDGE

S.V.GANGAPURWALA
JUDGE

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