

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

89 WRIT PETITION NO.4889 OF 2019
WITH WRIT PETITION NO.6690/2019
WITH WRIT PETITION NO.6716/2019
WITH WRIT PETITION NO.6812/2019
WITH WRIT PETITION NO.6813/2019
WITH WRIT PETITION NO.6814/2019
WITH WRIT PETITION NO.7209/2019
WITH WRIT PETITION NO.7651/2019
WITH WRIT PETITION NO.8167/2019

ANANDRAO BHATAJI KADAMBANDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr Bagul D. S.
AGP for Respondents State: Mr V M Kagne
Advocate for Respondent No.2 : Mr. Ajit B. Kadethankar

**CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.**

DATE : 4th September, 2019

ORDER:

1. The petitioners in Writ petition No.4889/2019 are assailing notification dated 30th March, 2019 issued by the State Election Commission in respect of election of Zilla Parishad, Nandurbar, providing reservation of more than 50%. The other petitions are in respect of ward formation and unequal division of population.

2. The Apex Court, in Writ Petition(C) No.891/2019 with connected writ petitions, under order dated 28.08.2019 has observed thus:

"We reiterate that neither the High court nor any subordinate court in the State of Maharashtra shall entertain any challenge to the proposed reservation or the ordinance promulgated by the State on 31.07.2019 or any matter relating to issuance of election programme concerning the Zilla Parishads and Panchayat Samitis of the concerned five Districts. For, we have decided to examine the whole matter in that regard in this proceeding before us to do complete justice.

List these matters on 31st October, 2019 for reporting compliance and necessary directions, if any. Liberty to apply for an early date is reserved to the parties before us."

3. The present writ petitions are relating to the issuance of election programme concerning Zilla Pariahads and Panchayat Samitis of Nandurbar and Dhule Districts. It is submitted that Nandurbar and Dhule Districts are out of those five districts referred to by the Apex Court in the order. In view of the aforesaid order passed by the Apex Court, it would not be possible to entertain the present writ petitions.

4. The parties shall be entitled to take further steps pursuant to and in tune with the orders that would be passed by the Apex Court.

5. Writ petitions are accordingly disposed of. No costs.

6. It is made clear that we have not considered the the contentions of the petitioners on merits. The same are kept open.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC