

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12400 OF 2018
(Ranba Mokinda Yadav Vs. Sunil Ramrao Choudhari and another)

Mr.P.D.Jarare, Advocate for the petitioner.
Mr.N.T.Bhagat, AGP for respondent No.2.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 14/01/2019

PER COURT :

1. The petitioner is aggrieved by the order dated 06/09/2018 by which Civil MARJE No.5/2017, seeking condonation of 3 days caused in filing the election petition, has led to the rejection of the said application.

2. Despite the strenuous efforts of the learned Advocate for the petitioner, I find that the law laid down by the Hon'ble Apex Court in the matter of Suman Devi Vs. Manisha Devi and others [AIR 2018 SC 3912] and the view taken by this Court in Yogesh Mangalsen Bahal Vs. Rajesh Chimanrao Wable [2008(5) BCR 243], that Section 5 and Section 14 of the Limitation Act, 1963 would not be applicable to election petitions unless a specific provision enables the competent authority to condone the delay caused, would be applicable.

3. In view of the above, this petition, being devoid of merit, is therefore dismissed.

(Ravindra V.Ghuge, J.)