

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

924 WRIT PETITION NO.12856 OF 2019

VAIJNATH SHYAMRAO SURWASE
VERSUS
THE ELECTION COMMISSION OF INDIA

...
Advocate for Petitioner : Shri Salunke Sudarshan J.
Standing Counsel for Respondents : Shri Sharma Alok

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CORAM : RAVINDRA V. GHUGE, J.
Dated: October 16, 2019

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PER COURT :-

1. The petitioner is aggrieved by the rejection of his nomination form for contesting the elections to the Maharashtra State Legislative Assembly to be held on 21.10.2019. By the impugned order dated 5.10.2019, the nomination form has been invalidated on unsustainable grounds. The learned Advocate for the petitioner has strenuously canvassed the ten grounds formulated in the memo of the petition.

2. I have heard the learned Standing Counsel for the respondents.

3. It is informed that the allotment of symbols, final contesting candidates list and polling papers have already been prepared and the Election Commission is geared up to conduct the polling on

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21.10.2019 in Maharashtra. As such, the petitioner would suffer a bar under Article 329(b) of the Constitution of India and preferring an election petition, as may be permissible in law, would be the only option available.

4. In view of the above, this petition is disposed off keeping open all permissible and legal remedies.

(RAVINDRA V. GHUGE, J.)

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