

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

929 WRIT PETITION NO.12923 OF 2018

CHANDRASHEKHAR MARUTI BORATE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Shri Deshmukh R.S.
AGP for Respondent 1 : Shri Yadav S.R.
Advocate for Respondent 2 : Shri Shelke S.T.
Advocate for Respondent 5 : Shri Andhale S.R.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: January 11, 2019

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PER COURT :-

1. This matter is listed in objections category. The order passed by this Court (Coram : N.M.Jamdar, J.) dated 26.11.2018 is a self operative order. It is noted in paragraph No.12 that the petitioner is allowed to file his nomination papers and the Election Officer shall accept the said papers. It is further observed that if the petitioner is successful in the said election, the grounds are kept open for the aggrieved parties to be raised in an Election Petition.

2. Now that the petitioner has been elected, his election can be set aside for any reason as is permissible in law, only in an Election Petition.

3. This petition is, therefore, disposed off in view of the order dated

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26.11.2018. If the aggrieved parties prefer an election petition within fifteen days from today, the time spent in this Court due to the pendency of this petition from the date of the declaration of results till today, shall be excluded and the election petition shall be maintained on this count.

4. Needless to state, all the contentions of the litigating sides are kept open.

(RAVINDRA V. GHUGE, J.)

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