

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

915 WRIT PETITION NO.12451 OF 2018

BABASAHEB GANGARAM GADAHE

..PETITIONER

VERSUS

**THE ADDITIOAL DIVISIONAL COMMISSIONER AURANGABAD
AND OTHERS**

..RESPONDENTS

...

Mr. Vishal A. Bagal, Advocate for the Petitioner.

Mr. K. B. Jadhavar, AGP for Respondent-State.

...

CORAM : S. V. GANGAPURWALA, J.

DATED : 03rd JANUARY, 2019.

PER COURT:-

1. The application seeking disqualification of the present respondent no.3 is rejected.

2. The learned A.G.P. appears for respondent nos.1 and 2 and submits that the petitioner has not pointed out as to whether the respondent no.3 has suffered any conviction. Only filing of an criminal case was the ground and the said criminal case was also mentioned by respondent no.3 in her nomination form.

3. As the petitioner has not brought on record any order of conviction against respondent no.3 and the FIR was also pointed out. Mere filing of FIR would not amount to disqualification.

4. In light of the above, the authority has not committed any error in rejecting the application. Writ Petition as such is disposed of. No costs.

(S. V. GANGAPURWALA)
JUDGE

Devendra/January-19