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IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION******WRIT PETITION NO.1779 OF 2019***

Sanjay Naiku Mendhe

..Petitioner.

V/s.

Tanaji Appaso Ruikar & Ors.

..Respondents.

Mr.Padmanabh D.Pise for the petitioner.

Mr.Vikram Walawalkar i/b. Amey C.Sawant for respondent No.5.

CORAM : NITIN W.SAMBRE, J.***DATE : OCTOBER 10, 2019*****P.C. :-**

Heard learned counsel for the parties.

2. Relying on the judgment of Apex Court in *Ram Dayal V/s. Brijraj Singh and others*¹ and the analogy of section 81(1) of the Representation of Peoples Act, 1951, which is claimed to paramateria to section 21 of the Maharashtra Municipal Corporation Act, 1988, the submission is the amendment ought not to have been granted.

3. Perused the judgment cited in the backdrop of the reasons cited for permitting the amendment.

¹ A.I.R. 1980 Supreme Court 110

4. Considering that it is an election petition, it can be inferred that there exists basis, in regard to which amendment application is moved by the respondent-election petitioner. By way of amendment, what is sought by the election petitioner is non disclosure of details while filing nomination. In view of the fact that no new ground is incorporated, in my opinion, no case for interference is made out. The petition fails and is dismissed.

(NITIN W.SAMBRE, J.)