

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (L) NO. 6014 OF 2018

Mr.Balu Kamalakar Zole and Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents

Ms.Madhavi Taranandi for the Petitioner.

Mr.A.I.I. Patel, Addl. G.P. for the State.

Mr.Mayur Jadhav i/b. Mr.S.B.Shetye for Respondent No. 2.

CORAM : AKIL KURESHI &
S.J. KATHAWALLA, JJ.

DATE : 2ND JULY, 2019

P.C.:

1. The main prayer of the Petitioner is to set aside the election of the Trimbakeshwar Municipal Council, District Nashik held on 10th December, 2017. The learned Counsel for the Petitioner stated under instructions that she does not press this prayer. She submitted that the entire petition is premised on the averments that the electoral roll, which forms the basis for conduct of such election, was defective. It included names of several people who had died. The Petitioner has raised other similar grievances about the electoral roll not being updated.
2. We are informed that the tenure of the elected body of Municipal Council is of five years. The election was held on 10th December, 2017. The next election would

therefore be due sometime in December, 2022. In the meantime, even since the conduct of the election, the electoral roll would have been revised. In that view of the matter, we find this Petition has become infructuous. However, if the Petitioner still has any grievances with respect to the current electoral roll, it would be open for the Petitioner to bring the same to the notice of State as well as Central Election Commissions. We sure such authority would look into the discrepancies that may be pointed out by the Petitioner and takes such steps as may be found necessary in accordance with rules.

3. With these observations, the Petition is disposed off.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)