

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO. 27141 OF 2019

Mahadev Gajanan Kocharekar	}	Petitioner
versus		
Returning Officer of 139 Murbad	}	
Constituency and Ors.	}	Respondents

Mr. C.J.Joveson and Mr.Amritpal Singh Khalsa for the petitioner.

Ms.R.A.Salunkhe-AGP for State.

CORAM :- S. C. DHARMADHIKARI &
G. S. PATEL, JJ.

DATED :- OCTOBER 7, 2019

P.C. :-

1. Having heard the learned advocate appearing for the petitioner, we do not think that in writ jurisdiction any relief can be granted and at this stage. The stage of filing nominations in the ensuing elections to the State Legislative Assembly is over. In fact, now, the withdrawal of the valid nominations is scheduled and that is till today. At such a stage and when the petitioner has an alternate and equally efficacious remedy of filing an election petition to dispute the process, a writ petition under Article 226 of the Constitution of India cannot be entertained.

2. The writ petition is dismissed. There would be no order as to costs.

(G.S.PATEL, J.)

(S.C.DHARMADHIKARI, J.)