

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 53 OF 2020

Nanasaheb Bhagwan Phadke	..Petitioner
vs.	
The Election Officer & Ors.	..Respondents

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Mr. S. A. Sawant i/b. Abhishek P. Deshmukh, Advocate for Petitioner.
Mr. A. P. Vanarase, AGP for Respondent / State.

**CORAM : C.V. BHADANG, J.
DATE : 10th JANUARY, 2020**

P.C.

. Heard for some time.

2. This petition can be disposed of on short count. It appears that the petitioner had applied to the Returning Officer for grant of copies of certain documents including the voting slips which application has been rejected by the Returning Officer on the ground that as per Rule 92(1A) and Rule 93 (1A) of the Conduct of Election Rules, 1961 the documents are kept in the safe custody of District Election Officer and cannot be opened or inspected by, or produced before any person or authority, except under the orders of the Competent Court. The submission on behalf of the State is that after the election is over, the Returning Officer has no control over the documents.

3. Faced with this, the learned counsel for the petitioner states that the petitioner shall make a fresh application to the Collector or

to the appropriate authority as per the rules. The statement so made is accepted.

4. In such circumstances, the petition is disposed of with liberty to the petitioner to file an application to the appropriate authority, if so advised. Needless to mention that if any such application is made, concerned authority shall decide the same on its own merits and in accordance with law.

4. It is made clear that this Court has not expressed any opinion on the claim of petitioner for grant of such copies. In the circumstances, there shall be no order as to costs.

C.V. BHADANG, J.