

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2211 OF 2019

Prafulla Sureshrao Chakwe

-vs-

The Returning Officer for the Election to the Gram Panchayat Borgaon Meghe, Wardha and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. D. Chopde, Advocate for petitioner.
Ms M. S. Naik, AGP for respondent No.1.
Shri P. S. Kadam, Advocate for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.

DATE : March 20, 2019

The petitioner seeks rejection of the nomination form of the respondent No.3 on the ground that disqualification under provisions of Section 14(1)(g) of the Maharashtra Village Panchayats Act, 1958 has been attracted on account of some work having been done by the respondent No.3 for the Gram Panchayat. Reliance is placed on the Certificate dated 12/03/2019 to indicate the aspect that an amount of Rs.7200/- was received by the respondent No.3 for carrying out works of the Gram Panchayat.

2. After hearing learned counsel for the petitioner Shri S. D. Chopde, learned Assistant Government Pleader for respondent No.1 and Shri P. S. Kadam, learned counsel for respondent Nos.2 and 3 it is seen that the objection as raised does not bear any endorsement that it was submitted prior to scrutiny of

the nomination form. Similarly the documents relied upon in that regard are after the date of scrutiny.

3. Prima facie, any work done prior to elections being held would not entail the rejection of the nomination form on that count. Disqualification in that regard would arise after election as a member. Hence there is no reason to interfere at this stage. However, keeping the points raised open for being urged in appropriate proceedings after the results are declared, the writ petition is dismissed with no order as to costs.

JUDGE