

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 6524 OF 2016

Prashant Bhagwant Raikwar

vs.

Shri. Ramesh Tukaram Raikwar and others

Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

None for the petitioner.

Smt. Kalyani Deshpande, AGP for respondent No.2.

CORAM : MANISH PITALE J

DATED : 02/12/2019

None appears on behalf of the petitioner.

2. By this writ petition, judgment and order dated 10/11/2016, passed by the District Court is challenged. By the said judgment and order, the challenge raised by the respondent No.1 herein to rejection of his nomination form was allowed and the order of the Returning Officer rejecting his nomination form was set aside, thereby permitting him to contest election for the post of Councillor in Municipal Council, Achalpur.

3. While issuing notice in this writ petition on 17/11/2016, this Court pass the following order :-

“ Heard the learned counsel for the petitioner who has relied upon the decision of the Division Bench of this Court in case of **Sohindersingh Gyanchand Kuckreja vs. Kadu Babu Laxman and ors.** reported in **AIR 1975**

BOMBAY 303, wherein it is held that where the property is owned by more than one person, the group of persons would be jointly and severally liable to pay the Municipal taxes and when the taxes are due, they are due from every one of them.

Issue notice for final disposal of the matter returnable on 30/11/2016.

Shri. B. M. Lonare, the learned AGP waives service of notice for respondent No.2.

The election of the respondent No.1 shall be subject to the result of this petition. ”

4. The record shows that the present writ petition stood dismissed in default on 17/03/2017, as against respondents No.1 to 3. There is no doubt about the fact that the respondent No.1 was the contesting respondent while respondent No.3 was the Municipal Council represented through its Chief Officer.

5. The record shows that no steps were taken on behalf of the petitioner for restoring the writ petition as against respondents No.1 and 3.

6. As noted above, even today when the writ petition is called out for hearing none has appeared for the petitioner. It appears that neither the petitioner nor his counsel are interested in pursuing the present writ petition. Hence, it is dismissed for want of prosecution.

JUDGE