

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 WRIT PETITION NO.2282 OF 2020

SHRIPAD GOVIND SHUKLA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr Ambetkar Arvind G
AGP for Respondents State: Mr S Y Mahajan

CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.

DATE : 5th February, 2020

ORDER:

1. Mr Ambetkar, learned counsel submits that encroachers cannot be allowed to contest election. Three persons were already disqualified on the last occasion for committing encroachment. Gramsevak has again issued certificate to them.
2. The assumption is that the authorities would do the lawful acts in regular course. We cannot presume that the authorities would not perform their duties properly.
3. There is nothing on record to suggest that encroacher has been allowed to contest the election. The proper stage is provided for raising objection under the provisions of the Maharashtra Village Panchayat Act and the petitioner may avail the said right. However, at present it would not be possible to pass any order .
4. Writ petition is accordingly disposed of. No costs. All contentions of the petitioner are kept open.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC