

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

926 WRIT PETITION NO.8495 OF 2020

JEEVAN UKHA PAWAR
VERSUS
THE ELECTION COMMISSION AND OTHERS

Advocate for Petitioner : Mr. Gosavi Sunil S
AGP for Respondents State: Mr. P. K. Lakhotiya
Advocate for Respondent No.1: Mr. A. B. Kadethankar

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

DATE : 22nd December, 2020

ORDER:

1. The petitioner is challenging the reservation allocated to the ward. Mr. Gosavi, the learned counsel for the petitioner submits that the reservation made by the authorities is not in consonance with the rules and the rotation policy also. Large scale illegalities are committed. The petitioner and other 66 Scheduled Caste members raised their objections. Respondent No.3 also directed the Extension Officer to conduct an enquiry. Report was submitted. One seat was required to be reserved for the Scheduled Caste, however, the final notification does not show the seat reserved for Scheduled Caste. The same is illegal and against the constitutional mandate.

2. We have heard Mr. Kadethankar for the State Election Commission and learned A.G.P. for the State.

3. The final notification for reservation and ward formation was published on 27th October, 2020. The election programme was declared on 15th December, 2020. The petition is filed after declaration of the

election programme. We are not inclined to accept the reasons given by the petitioner for not approaching the Court earlier. The nomination papers are to be filled from 23rd December, 2020. It would be too late in the day now to interfere with the election process.

4. In light of that, no relief can be granted. Writ petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)

JPC