

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

905 WRIT PETITION NO.9077 OF 2020

Savita w/o Sitaram Chavan and Others ..Petitioners

Versus

The State of Maharashtra and Others ..Respondents

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Advocate for Petitioners : Mr. Kulkarni Vaibhav B.

AGP for Respondent Nos.1, 5, 6 & 7 : Mr. S.R. Yadav Lonikar

Advocate for Respondent Nos.2, 3 & 4 : Mr. A.B. Kadethankar

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**CORAM : RAVINDRA V. GHUGE &
SMT. VIBHA KANKANWADI, JJ.
(VACATION COURT)**

DATE : 29th DECEMBER, 2020.

PER COURT :-

1. The petitioners have put-forth prayer clause (B), (C) and (D) as under:

“B) To quash and set aside the order dt.27/10/020 in File No. 2020/SASHA/GPN/AAKSHEP-P/KAVI (Exhibit D) passed by Respondent no.3.

C) By issuing writ of mandamus or any other writ, order of directions in like nature, the order dt.14/12/2020 (Exhibit F Colly) passed by Respondent No.4 may kindly be quashed and set aside thereby allowing the objections raised by the present petitioners vide application dt.07/12/2020 (Exhibit “E” Colly) and to direct R.No.4 to include the names of present petitioners in their respective wards of R.No.8 village panchayat Paanewadi, Tq. Ghansawangi Dist. Jalna as stated/prayed in

objections and to do such necessary acts required and incidental thereto like publishing supplementary voters list.

D) Pending hearing and final disposal of this writ petition, the Respondent No.4 - the Election Officer/Tahsildar, Ghansawangi, Tq. Ghansawangi, Dist. Jalna may kindly be directed to include the names of present petitioners in their respective Ward i.e. Ward No.3 of Respondent No.8 Village Panchayat Paanewadi, Tq. Ghansawangi Dist. Jalna as prayed in Objection Applications dtd.07/12/2020 submitted before him."

2. We have heard the learned counsel for the petitioners, the learned Assistant Government Pleader on behalf of respondent nos.1, 5, 6 and 7 and the learned counsel on behalf of respondent nos.2, 3 and 4.

3. The provisional voters list of Village Panchayat Paanewadi, Taluka Ghansawangi, District Jalna, was published on 01.12.2020 and objections were sought upto 07.12.2020. There is no dispute that the petitioners raised their objections on 07.12.2020. It is equally undisputed that the said objections had to be dealt with by respondent no.4 prior to declaring the final voters list on 10.12.2020.

4. By the impugned order dated 14.12.2020, respondent no.4 has rejected the objections raised by the petitioners without even mentioning a single reason. The entire

order does not reflect application of mind. We deprecate such practice of rejection of objections without application of mind and without assigning reasons. The District Collector Jalna shall, therefore, initiate appropriate steps as against respondent no.4 to ensure that such orders are not passed. We are constrained to issue this direction since we find that he has passed identical orders on the same day in respect of applications filed by many other objectors.

5. Notwithstanding the above, at this stage in the election process when nomination forms are to be filed by 30.12.2020 and the polling is scheduled on 15.01.2021, this petition cannot be entertained and is, therefore, disposed off.

6. We find it appropriate to note that the petitioners would be at liberty to avail of a legal remedy as may be permissible in law. The petitioners are at liberty to be represented through an advocate or through a common representative.

7. The learned counsel for the petitioners submits that the deficit Court fees of Rs.3,250/- shall be paid up on or before 08.01.2021.

(SMT. VIBHA KANKANWADI. J) (RAVINDRA V. GHUGE, J)