

RAJENDRA HARIBHAU BHOR  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

Mr.MA Jahagirdar, Advocate for Petitioner;  
Smt.PV Diggikar, AGP for Respondent Nos.1, 4 & 5;  
Mr.Alok Sharma, Standing Counsel for Resp.No.2;  
Mr.AB Kadethankar, Advocate for Respondent No.3.

**CORAM :** **RAVINDRA V.GHUGE**  
**AND**  
**SMT.VIBHA KANKANWADI,JJ.**

**DATE :** **29<sup>th</sup> December, 2020.**  
**(Vacation Court)**

1. By this petition, the petitioner prays for quashing and setting aside the order dated 14.12.2020 passed by the Deputy Election Officer, Ahmednagar, Annexure-B at page 152 and thereby delete names of voters whose names are appearing in two voters lists of two different wards in the same Mauje Bhorwadi Gram Panchayat election.

2. We have heard the learned Advocate for the petitioner, the learned Counsel on behalf of

Respondent No.3, the learned AGP on behalf of Respondent Nos.1, 4 and 5 and Shri Alok Sharma, learned Standing Counsel for Respondent No.2.

3. We find that the grievance involved in this petition is narrowed down to the names of certain voters finding place in the Gram Panchayat voters list in two wards, in the sense, that their names appear as voters in two wards, which is impermissible in law.

4. The petitioner had moved the District Collector, vide representation dated 14.12.2020 at Annexure-B and had sought deletion of names of such voters from any one of the wards. By communication dated 14.12.2020, the Deputy District Election officer, Ahmednagar, directed the Assistant Voters Registration officer-cum Tahsildar, Ahmednagar, vide communication at page 153, to correct the voters list in the State Assembly constituency No.224 for Parner Taluka in connection with Mauje Bhorwadi, Tq. Nagar. Apparently, the concerned authority has not understood the import of the direction issued by

the Deputy District Election officer, inasmuch as, the said order dated 14.12.2020 appears to be a bit ambiguous.

5. Shri Kadethankar, learned Counsel for Respondent No.3, submits that any voter cannot find his name included in two voters lists in two wards in the same Gram Panchayat election and necessary directions by this Court to carry out the correction can be implemented by hearing the concerned voters.

6. We have considered the order passed by the learned Division bench of this court on 21.12.2020 in Writ Petition Stamp No.24712/2020 filed by Subhash Manohar Sonwane Vs. The State of Maharashtra and Ors., by which the petition was dismissed as those voters, whose name are duplicated in two voters lists, had not been arrayed in this petition.

7. Since we find that the representation made by the petitioner to the District Collector on 14.12.2020, Annexure-B, has not been

considered in proper perspective by the Deputy Election Officer, Ahmednagar, this petition is disposed off with a direction to the said authority to decide the objection by hearing those voters whose names find place in two voters lists, as expeditiously as possible and in any case, on or before 30.12.2020.

8. The parties shall act on an authenticated copy of this order.

(SMT.VIBHA KANKANWADI)  
JUDGE

(RAVINDRA V.GHUGE)  
JUDGE

bdv