

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

909 WRIT PETITION NO.9081 OF 2020

Balasaheb Shivajirao Patil

...Petitioner

Versus

The State of Maharashtra and Others

...Respondents

...

Advocate for Petitioner : Mr. V G Kodale

AGP for Respondent Nos.2 and 3 : Mr. S.R. Yadav Lonikar

Advocate for Respondent Nos.1 and 4 : Mr. A.B. Kadethankar

...

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

DATE : 29th DECEMBER, 2020.

PER COURT :-

1. We have heard learned counsel for the petitioner and the learned counsel on behalf of respondent nos.1 and 4. The learned Assistant Government Pleader causes an appearance on behalf of respondent nos.2 and 3.

2. The grievance of the petitioner is that when objections were called for as regards the provisional voters list in between 01.12.2020, when it was published, to 07.12.2020, the petitioner submitted his objections on 07.12.2020 received by respondent no.4 on the same date. Yet, the said objections are kept pending and the final voters list is formalized without considering the objections of the petitioner.

3. We find that, though respondent no.4 was obliged to

decide the objections and only thereafter, declare the final voters list on 14.12.2020, respondent no.4, according to the petitioner, has failed in discharging the obligations. Shri Kadethankar fairly submits that respondent no.4 has not decided the representation of the petitioner.

4. Since, the final voters list is already published, the ballot papers are ready and the last date for filing nomination forms being scheduled on 30.12.2020, we find it inappropriate to interject in the election process at this stage. This petition is, therefore, disposed off.

5. Nevertheless, since the petitioner feels that those ladies, who were in his village prior to getting married and have now become voters in another village post marriage, are likely to cast vote in their maiden names in the elections to the Village Panchayat Gurdhal, Taluka Udgir, District Latur, which is likely to affect the result of the elections, we grant liberty to the petitioner to take recourse to a remedy as may be permissible in law, if he is aggrieved by the results of the elections and/or seek damages as against respondent no.4 for having not decided his objections as is mandated by law. In the event of such proceeding for damages, the same shall be decided on its own merits.

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