

“(C) The directions may kindly be issued to the respondent No.4 to correct the final voters list dated 10.12.2020 of Ward No.1 from Sr.No.5 to 6, 87 to 88, 453 to 454 and include this total 6 valid voters in ward No.2 of Grampanchayat of village Pimpalgaon Balapur, Tq. Purna, Dist.,. Parbhani.

(D) The directions may kindly be issued to the respondent No.4 to correct the final voters list dated 10.12.2020 of Ward No.2 from Sr.No.2 to 3, 44, 91 to 93, 95, 99, 101, 131 to 136, 138 to 153, 327 to 330, 438 to 439, 471 to 472 and include this total 40 valid voters in Ward No.1 of Grampanchayat of village Pimpalgaon Balapur, Tq. Purna, District Parbhani.

(E) During the pendency of this Writ Petition, the further proceedings in pursuance to the final voters list dated 10.12.2020 of Ward No.1 and Ward No.2 prepared by the respondent No.4 of Grampanchayat of village Pimpalgaon Balapur, Tq, Purna District Parbhani may kindly be stayed."

2. The learned Counsel for the petitioner submits that he, along with about 43 other voters, have been shown as a part of final voters list of Ward No.2 of village Pimpalgaon Balapur, Tq. Purna. They are actually the voters of Ward

No.1. After the provisional voters list was published on 1.12.2020, calling for objections on or before 7.12.2020, the petitioner has lodged his objections on 7.12.2020. By ignoring his objection and without deciding his representation, the authorities have finalized the voters list on 10.12.2020. Respondent No.4 has not discharged his legal obligation of deciding the representation of the petitioner.

3. The learned Advocate, representing Respondent Nos.1 and 4, submits that the concerned authorities should have decided the representation before 10.12.2020, since the purpose of granting seven days after the publication of the provisional voters list, was to receive objections and to decide them. He, however, submits that the last date for filing nomination forms is 30.12.2020 and the polling is scheduled on 15.1.2021.

4. Considering the above, we are of the view that Respondent No.4 should have discharged his obligation of deciding the objections.

Nevertheless, at this stage, we cannot interrupt the election process.

5. This petition is, therefore, disposed off with liberty to the petitioner to avail of a remedy, as is permissible in law, after the elections are held. Similarly, if he so desires, he may opt for a remedy of seeking damages against Respondent No.4, if permissible in law.

(SMT.VIBHA KANKANWADI)
JUDGE

(RAVINDRA V.GHUGE)
JUDGE

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