

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

9 WRIT PETITION NO.925 OF 2020

VITTHAL BAHINAJI VIGHAVE AND OTHERS
VERSUS
K B GUNJAL RETURNING OFFICER GRAM PANCHAYAT
ELECTION RANJANKHOL AND OTHERS

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Mr. P.P. Khandagale Patil, Advocate for the petitioners.

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CORAM : **Rohit B. Deo, J.**

DATE : 22nd January 2020.

PER COURT :-

. By the order impugned, the 3rd Joint Civil Judge, Junior Division, Rahata has rejected the application for condonation of delay in filing the Election Petition.

2. The election of Grampanchayat was held on 07.10.2017 and the result was declared on 25.09.2017.

3. Concededly, in view of the provisions of Section 15 of the Maharashtra Village Panchayat Act, 1958 (Act), the election petition has to be filed within 15 days from the date of election result. The statutory scheme does not contemplate power to condone the delay.

4. Learned Civil Judge has adverted to the statutory scheme and held that there is no power to condone delay.

The finding is unexceptionable.

5. The other aspect of the matter is that the delay of 270 days even otherwise is not explained. Apparently after declaration of election result, the petitioner spent time in lodging complaint with the Election Commission and then approached the High Court. Writ Petition No.3060 of 2018 was withdrawn on 26.03.2018 with liberty to pursue other remedy. However, the Civil Judge was approached only on 10.07.2018 by way of Election Petition.

6. In any view of the matter, there is no substance in the petition. It is accordingly dismissed.

(ROHIT B. DEO, J.)

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