

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 53 OF 2021

Sangita W/o. Gangadhar Kokane

...Petitioner

Versus

State Election Commission,
Maharashtra State,
Through its Returning Officer and Ors.

...Respondents

Mr R.V. Gore, Advocate for Petitioner
Mr A.B. Kadethankar, Advocate for Respondent No. 1
Mr S.K. Tambe, A.G.P. for Respondent-State

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 11th JANUARY, 2021

PER COURT :

1. Mr Gore, the learned Counsel for the petitioner submits that the petitioner had filled-in form from ward No. 2 (B). However, only because of the typographical error in the online form, the candidature of the petitioner is considered from ward No. 1. In the physical form, the petitioner has mentioned ward No. 2. On the date of scrutiny i.e. 31st December, 2020, at about 5.28 p.m., the petitioner had given application to consider her candidature from ward No. 2. The same is also not considered.

2. Mr Kadethankar, the learned Counsel for the Election Commission submits that the petitioner had filled-in nomination form from ward No. 1.

3. The application given by the petitioner in unambiguous manner suggests that the petitioner had filled-in form from ward No. 1(B). That declaration given by the petitioner is also for ward No. 1(B).
4. The Returning Officer accepted the nomination form and issued a certificate accepting the nomination form for ward No. 1(B).
5. In view of the fact that the nomination form of the petitioner is unambiguous and the nomination form was accepted from ward No. 1(B). The petitioner cannot change the ward after the last date of filing of the nomination form.
6. In light of the above, no relief can be granted to the petitioner.
7. Writ Petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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