

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 WRIT PETITION NO. 2689 OF 2021

DEVINAGAR MAJUR SAHAKARI SANSTHA, THRUOUGH ITS
CHAIRMAN KALYAN S/O PRABHAKARRAO CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....

Advocate for Petitioner : Mr. Pawade Nilkanth R.
AGP for Respondent Nos. 1, 3 & 4 : Mr. K. B. Jadhavar
Advocate for Respondent No. 2 : Mr. S. K. Kadam

.....

CORAM : V. K. JADHAV, J.
DATED : 9TH FEBRUARY, 2021

PER COURT :-

1. Heard finally with consent at the admission stage.
2. Being aggrieved by the order dated 15.01.2021 passed by respondent no.2-Election Officer, by which the objection raised by the petitioner was turned down, the petitioner, who is the original objector, has preferred this Writ Petition.
3. Learned counsel for the petitioner submits that name of the petitioner was recommended by the society as its delegate. However, due to some unavoidable circumstances,

vre/-

the said recommendation could not be submitted within time. The petitioner has therefore rightly raised objection to the provisional voter list wherein his name was not included.

4. Learned counsel for respondent no.2-Election Officer submits that the petitioner society has not submitted the resolution of recommendation within the stipulated time. Even the petitioner himself has admitted the same in his objection Exhibit B (page 14). According to him, due to the ailment of his mother, who was hospitalized, he could not submit the resolution of recommendation within time. Learned counsel submits that there is no substance in the Writ Petition.

5. As per the election programme, it appears that the last date for submission of resolution of recommendation was 27.02.2020. However, the petitioner society has submitted the resolution for recommendation of petitioner's name on 15.01.2021 when the objection was raised to the provisional voter list. Even the petitioner has admitted in his

vre/-

application/objection petition Exhibit B (page 14) that due to ailment of his mother, he could not submit the said resolution recommending name of the petitioner as a delegate within time. In view of the same, I find no error in the impugned order passed by respondent no.2-Election Officer. There is no substance in the Writ Petition. The Writ Petition is accordingly dismissed.

(V. K. JADHAV, J.)

vre/-