

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

905 WRIT PETITION NO.5211 OF 2021

RAMESH RAMBHAU NAGRE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. B. B. Shinde
AGP for Respondents-State: Mr. S. B. Yawalkar
Advocate for Respondent no.3 : Mr. A.B. Kadethankar

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

DATED : 7th APRIL , 2021.

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PER COURT :

1. The grievance of the petitioners it appears from the prayer made in the petition is that the objection raised by the petitioners has not been properly considered by respondent no.7 while finalizing the voters list. The petitioners are all resident of village Belora, Taluka Mantha. The voters list was prepared for the purpose of election of Grampanchyat Belora. The petitioners raised objection that their names are illegally included in Ward nos. 2 & 3 and they are resident of Ward no.1.

2. It appears that the objection raised by the petitioners is

not accepted by the respondents. The elections are held on 15th January, 2021. The present petition is filed on 3rd March, 2021 i.e. after the elections are over.

3. Mr. Shinde, learned counsel for the petitioners accepts that the petitioner have cast their vote for the election of members of Grampanchyat Belora from Ward nos.2 and 3 as per the voters list.

4. The petitioners did not choose to challenge the non-consideration of their objections while finalizing the voters list prior to the declaration of the election programme. The petitioners had the opportunity to do so. The petitioners subsequently accepted the voters list and cast their votes in the respective wards in which their names are shown in the voters list. Meaning thereby the petitioners accepted the voters list. After the elections are over, the petitioners have filed the present writ petition.

5. Even assuming that statutory right of the petitioners to cast vote from Ward no.1 is negated but the petitioners choose to cast their vote from Ward nos.2 and 3 in which their names

appear. The petitioners submitted to the voters list list prepared and accepted it by their conduct by casting their vote. It is not that the right of the petitioners to cast the vote was negated completely. On the contrary they accepted that their names are in Ward nos. 2 & 3 and have acted upon it.

6. In light of above, no case for interference is made out. Writ petitions is disposed of. No costs.

(SHRIKANT D. KULKARNI, J.) (S. V. GANGAPURWALA, J.)

vsm/-