

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

907 WRIT PETITION NO.5950 OF 2021

WITH

CIVIL APPLICATION NO.11154 OF 2021
IN WP/5950/2021

SUNIL HARIBHAU SHINDE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners/Applicants : Mr. Rahul P. Dhase.

AGP for Respondent/State: Mr. P. K. Lakhotiya.

Advocate for Respondent Nos.2 & 4: Mr. A. B. Kadethankar.

Advocate for Respondents : Mr. A. S. Bajaj.

...

CORAM : **S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE : 03rd December, 2021.

PER COURT:

. We have heard Mr. Dhase, learned counsel for petitioners,
Mr. Kadethankar, learned counsel and Mr. Bajaj, learned counsel.

2 Mr. Dhase, learned counsel submits that the gross
illegality is committed in the preparation of the voters list. The
objection of the petitioners to the voters list has not been considered in
its correct perspective. The voters list is tainted. It includes the names
of the persons who are not residents or are not eligible to vote and
also excludes the names of the eligible voters.

3 It is submitted that the election program has been
declared on 24th November, 2021. The nomination papers are being
filled in from 1st December, 2021 and the last date for filling in the
nomination papers is 7th December, 2021.

4 Once the election program has been declared, it would not
be possible to entertain the writ petition concerning challenge to the
voters list.

5 Reliance can be had to the judgment of the Full Bench of
this Court at Principal Seat in the case of **Karmaveer Tulshiram Autade
& Ors. Vs. The State Election Commission & Ors**, reported in, **2021(2)
ALL MR 1 (F.B)**.

6 In light of the above, the writ petition is disposed of. The
petitioners are at liberty to assail the voters list or any other steps in
the elections after the elections are over in the proceedings that may
be permission under the provisions of the statute. In that event, all the
contentions are kept open. No costs.

7 Civil application also disposed of.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]