

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

WRIT PETITION NO. 10983 OF 2021

Umeshchandra Vishwanath Kamshetti .. Petitioner

Versus

Jagdish D. Shringarpure, General
Secretary State Bank of India
Staff Union and others .. Respondents

Shri Ajit B. Gaikwad, Advocate for the Petitioner.
Shri S. G. Karlekar, A.G.P. for the Respondent No. 6.

**CORAM : S. V. GANGAPURWALA AND
R. N. LADDHA, JJ.
DATE : 05TH OCTOBER, 2021.**

FINAL ORDER :

. Mr. Gaikwad, the learned advocate for the petitioner submits that, the respondents are conducting elections of the members of the State Bank of India Staff Union (Mumbai Circle) from 25th October, 2021 to 29th October, 2021. The learned advocate further submits that, the menace of Covid-19 still persists. The SOP of the State of Maharashtra dated 02nd August, 2021 does not permit holding of election in eleven district notified therein. The Mumbai circle includes the State of Maharashtra and State of Goa. The learned counsel further submits that, the Covid-19 cases are on rise. The number of branches/employees have increased and eventually number of circles have increased. The petitioner has requested for

postponement of elections. According to the learned counsel there is ban on campaigning. The campaigning is not permissible. At the time of elections the possibility of large gathering is not ruled out. For all the aforesaid reasons the election needs to be postponed.

2. The learned Assistant Government Pleader for respondent/ State submits that, SOP of 02nd August, 2021 is modified under SOP dated 11th August, 2021 and elections are not barred. The restriction is on election campaigning.

3. We had asked the learned counsel for the petitioner the modalities of the election. The learned advocate submits that the voting has to take place at every branch. The everyday attendance of required staff is 100%. The attendance is not restricted in the branch as admitted by the parties. When everyday attendance of staff is 100% and voting is to take place in the branch itself, we do not see possibility of large gathering. The election process is set in motion. The last date of filing nominations was 08th September, 2021 upto 5.00 p.m. The list of valid nominations is declared on 15th September, 2021 and last date of withdrawal of nomination is 11th October, 2021. It would not be appropriate now to stall the election process, more particularly when voting has to take place at the branch level itself. The employees attending the branch would cast their votes in the branch only and the same would also be limited to the members of the State Bank of India staff union.

2. In the light of the above, we are not inclined to interfere in the matter. The writ petition accordingly is disposed of. No costs.

3. With regard to other prayers, the petitioner may approach appropriate forum. In that event all contentions are kept open.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Oct.21