

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

**16 WRIT PETITION NO. 13508 OF 2021**

**BABURAO PARASRAM VISHWEKAR & OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA & OTHERS**

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Advocate for the petitioners : Mr.A.N.Nagargoje  
I/c. G.P. for Respondent-State : Mr.D.R.Kale  
Advocate for respondent no.2 : Mr.A.B.Kadethankar

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**CORAM : S.V.GANGAPURWALA &  
S.G.DIGE, JJ.**

DATE : 06.12.2021

**P.C. :**

1] Heard Mr.Nagargoje, learned counsel for the petitioners. Learned counsel for the petitioners submits that in the provisional voters list, the names of the petitioners appeared in Ward No.10. The petitioners did not raise objections because the names of the petitioners were correctly shown in Ward No.10. Thereafter, while preparing final voters list, the names of some of the family members are shown in Ward No.12 and some of the family members are shown in Ward Nos. 9 and 10. The said voters list is illegal on the face of it.

2] Mr.Kadethankar, learned counsel for respondent no.2 submits that election process has

commenced. The election programme was already declared. The nomination papers are accepted from 1<sup>st</sup> December, 2021 and last date for filing nomination is 7<sup>th</sup> December, 2021.

3] It would appear that in view of the Articles 243-ZG and 243-ZA of the Constitution of India, interference in the election petition would not be permissible.

4] In the light of that, the Writ Petition is disposed of. The petitioners are at liberty to assail about improper voters list as permissible after elections are over.

**[S.G.DIGE, J.]**

**[S.V.GANGAPURWALA, J.]**

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