

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

WRIT PETITION NO.14452 OF 2021

MAROTRAO GANGARAM FEGADE AND OTHERS ..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Sudhir K. Chavan, Advocate for the Petitioner.

Mr. P. S. Patil, AGP for Respondents-State.

Mr. S. K. Kadam, Advocate for Respondent Nos.2 to 5.

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

DATED : 21st DECEMBER, 2021.

PER COURT:-

1. Mr. Chavan, learned counsel for petitioners submits that, the election programme is declared for the election of respondent no.17-Society. The large scale malpractice is committed. The election programme is also required to publish on the notice board of the Society. The same was not published. Subsequently, for photo purpose only the persons are shown to have gathered and panchanama is falsely prepared. The election process is vitiated.

2. Mr. Kadam, learned counsel for respondent nos.2 to 5 submits that, election programme was published in the daily newspaper dated 07.12.2021. It was also affixed on the notice board of the

Society. Panchanama to that effect is carried out on 06.12.2021. No illegality has been committed.

3. As per election programme, last date of filing nomination is over. Even, the last date for scrutiny is also over.

4. At this stage, it will not be appropriate to consider the contentions of the petitioner, more particularly, when already publication of the election programme appears to have been made in the daily newspaper and it was affixed on the notice board of the Society and panchanama to that effect is also carried out.

5. Considering the above, at present no interference is called for. The petitioner may agitate after the elections are over in accordance with law. In that event, all contentions are kept open. No cost.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE