

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No. 95/2021

Sheikh Kausar Sheikh Akhtar

Versus

Tahsildar Pusad and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.D. Paliwal, Advocate for the Petitioner

Shri A.M. Deshpande, AGP for the Respondents/State

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 11 JANUARY 2021

Heard learned Counsel for the Petitioner.

2. The Petitioner is a voter and also a candidate in the upcoming election to be held for Gram Panchayat Jambazar. He has sought a prayer to direct Respondent No. 1- Tahsildar Pudad, District Yavatmal to delete the names of the voters whose house numbers do not fall in Ward No. 1, details of which are given in Annexure-11 to the Petition.

3. Learned Counsel for the Petitioner has sought to contend that the names of these persons have been wrongly included in the Ward No. 1 and it is necessary to issue a Writ to Respondent No. 1 to correct this anomaly.

4. By the Election programme declared by the State Election Commission on 12 December 2020, voting for the concerned Gram Panchayat would be held on 15 January 2021. Considering the law settled by various decisions of the Hon'ble Apex Court and by this Court, interference in the writ jurisdiction in these circumstances at advance stage of Election programme is not warranted.

5. Even otherwise, the Petitioner has an alternate remedy under the statute after the Election results are so declared.

6. Keeping contentions of the Petitioner open in case the Petitioner raises the challenge in the alternate remedy, the Writ Petition is disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]