

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.106/2021

Ramdas s/o Vishwanath Waghade .vs. Returning Officer for Election to the Gram
Panchayat, Naigaon cum Tahsildar, Babhulgaon

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. P. J. Mehta, Advocate for petitioner.
Mrs. M. A. Barabdhe, A.G.P. for respondent.

CORAM : V.M. DESHPANDE, J.

DATED : FEBRUARY 4, 2021

Heard Mr. Mehta, learned counsel for petitioner
and Mrs. Barabdhe, learned A.G.P. for the respondent.

By this writ petition, the petitioner is challenging
order passed by the respondent, rejecting his nomination
papers to contest election for the seat reserved for Scheduled
Tribe (Male) from Gram Panchayat, Chalbardi, Tq. Kelapur,
Dist. Yavatmal. On 04.01.2021, this Court (Coram: Manish
Pitale, J.), while issuing notices to the respondent, granted
interim relief in favour of the petitioner. In view of the interim
relief, the petitioner was permitted to contest election of the
Gram Panchayat.

Today, when this writ petition is taken up for
admission, Mr. Mehta, learned counsel for petitioner,
submitted that though petitioner contested the election, he has
lost it in view of the popular mandate.

Full Bench of this Court in Writ Petition (ST). No.
26/2021, Karmaveer Tulshiram Autade and Ors. vs. The State

Election Commission, Mumbai and ors.; decided on 13.01.2021, has laid down the law that a writ petition challenging the order of rejection of the nomination papers is not maintainable.

In that view of the matter, the writ petition is not maintainable and it is dismissed accordingly. Needless to mention, consequences of the dismissal of the writ petition to follow.

JUDGE

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