

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

WRIT PETITION NO. 2688 OF 2021

(ADV. RAM KHOBRAGADE...VS..NARENDRA DAMODHAR MODI & OTH.)

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

Court's or Judge's orders

Shri Ram Khobragade, In-Person.

CORAM : SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.

DATED : AUGUST 06, 2021.

1. Heard Shri Ram Khobragade, petitioner in-person.

2. By this petition, the petitioner has prayed for declaration that the respondents are guilty of corrupt practices under Sections 123(3), (3-A), (7) and 125 of the Representation of the People Act, 1951 and further declaration that the respondent No.2 is also disqualified under Section 123(3) and 123(3-A) of the Representation of the People Act, 1951. Further directions to the Election Commission of India have been sought.

3. This petition being what it is, is not maintainable before this Court, inasmuch as it has been filed in ignorance of the provisions made in Section 80 read with Section 81 of the Representation of the People Act, 1951 and also the provisions made in Article 102 of the Constitution of India.

4. The petitioner ought to have pursued the remedies, as are provided statutorily and instead of doing that the petitioner has approached this Court and this is in the background that the petitioner has described himself as an Advocate and pursuing occupation of social service. Therefore, we are of the view that this petition deserves to be dismissed by imposing some costs.

5. The petition stands summarily **dismissed** with costs of Rupees One Thousand, to be deposited in the account of High Court Legal Services Sub-Committee, Nagpur within a period of two weeks from the date of the order, failing which the learned Registrar (Judicial) shall take appropriate steps for coercive recovery of the costs by treating them as arrears of land revenue and for which purpose suitable communication shall be made to the Competent Authority.

(ANIL S.KILOR,J)

(SUNIL B. SHUKRE,J)