

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

WRIT PETITION NO.4838/2021

Ramesh S/o Satyanarayan Bajaj
..Vs..
The Election Commission of India, New Delhi and others

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

Court's or Judge's Order

Mr. Arun Agrawal, Advocate for the petitioner.
Mr. Neerja Choubey, Advocate for respondent No.1.
Ms K.S. Joshi, In-charge Government Pleader for respondent No.2.
Mr. Sunil V. Manohar, Senior Advocate with Mr. Ved R. Deshpande,
Advocate for respondent No.3.

CORAM :- SUNIL B. SHUKRE AND
ANIL L. PANSARE, JJ.
DATED :- 29.11.2021.

Heard Mr. Arun Agrawal, learned counsel for the petitioner, learned A.G.P for respondent No.2 and Mr. Sunil Manohar, learned Senior Advocate for respondent No.3.

2. In a matter being Writ Petition No.4827/2021 decided just before this petition, we have already taken a view that jurisdiction of this Court under Article 226 of the Constitution of India in view of law laid down by the Apex Court in the case of **Mohinder Singh Gill & Anr. V/s. The Chief Election Commissioner, New Delhi & Ors.**, reported in (1978) 1 SCC 405 and in the case of **Election Commission of India through Secretary V/s. Ashok Kumar**

& Ors, reported in (2000) 8 SCC 216 and also clarified by this Court in the case of Karmaveer Tulshiram Autade and others V/s. The State Election Commission, Mumbai and others decided on 13th January, 2021 in Writ Petition (Stamp) No.26/2021 together with other connected matters, is not available to a person like the petitioner to challenge the order of acceptance of the nomination form of respondent No.3. The petition is, therefore, not maintainable and is **dismissed** summarily. No costs.

JUDGE

JUDGE

Tambaskar.