

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
909 WRIT PETITION NO.6957 OF 2022

BHARAT DIGAMBAR SHELKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr. Anand V. Indrale Patil, Advocate for the
petitioners

Mr. A. B. Kadethankar, Advocate for respondent
No.2

Mr. S. G. Sangle, AGP for the respondents/State

CORAM : RAVINDRA V. GHUGE &
ANIL L. PANSARE, JJ.

DATE : 13th July, 2022

P. C.

1. The petitioners have putforth prayer
clauses 'B' 'C' and 'D' as under:-

B] By issuing writ of mandamus or any
other appropriate writ, order or
directions, the impugned final
notification dated 21-06-2022 issued by
District Collector, Nanded, for
prescribing reservation for general
election of 2022 for Village Bodhadi be
quashed and set aside and the draft
notification dated 09-06-2022 be made
final notification for that purpose
necessary directions be issued.

C] By issuing further writ of mandamus or any other appropriate directions, the respondents be directed to fix the reservation for the post of members for general election of 2022 for village Bodhadi as per the draft notification dated 09-06-2022 and for that purpose necessary directions be issued.

D] Pending hearing and final disposal of this writ petition, the impugned notification dated 21-06-2022 issued by District Collector, Nanded for prescribing reservation for general election of 2022 for Village Bodhadi be stayed.

2. The learned advocate representing the Maharashtra State Election Commission relies upon the judgment delivered by this court on 05-07-2022, in writ petition No.6765/2022 filed at Aurangabad by Anant Baburao Golait (Gahilot) Vs State Election Commission of Maharashtra and others. He further submits on instructions that in some parts of the villages, the election

program has been declared and some parts have been left out on account of heavy rains. The elections are imminent. He, therefore, refers to prayer clause 'D' of the petition and contends that the petitioners are praying for injunctory orders to stall the elections.

3. Considering the above and the fact that the elections are imminent and in some areas, the elections program has already been declared and considering the view taken by this court in *Anant Baburao Golait (Gahilot)* (supra), this petition is disposed off with liberty to the petitioners to avail of a remedy as may be permissible in law.

[ANIL L. PANSARE, J.]

[RAVINDRA V. GHUGE, J.]