

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 WRIT PETITION NO.6809 OF 2022

SAKHARAM AABARAO MASKE AND OTHERS
VERSUS
THE STATE ELECTION COMMISSION THROUGH CHIEF ELECTION
COMMISSIONER AND OTHERS

Mr.S.E.Shekade, Advocate for the petitioners.
Mr.A.B. Kadethankar, Advocate for respondent No.1.
Mr.S.B. Yawalkar, AGP for the respondent/State.

CORAM : RAVINDRA V. GHUGE &
ANIL L. PANSARE, JJ.
DATED : 01.07.2022

PC :-

01. The election program has been declared on 28th June, 2022, pursuant to the formalization of the valid voters' list. The polling is scheduled on 4th August, 2022. The learned Advocate for the petitioners putforths the grievance that their pending appeal before the District Collector, Beed, copy of which is placed on record at page No.33, needs to be decided expeditiously. He submits that as the elections are round the corner, he desires an early decision in the appeal. The learned Advocate representing respondent No.1 submits that the appeal would suffer an issue of maintainability. The learned Advocate for the petitioners submits that they would face the said issue.

02. We showed our disinclination to entertain this petition in the light of Shri Sant Sadguru Janardan Swami vs State Of Maharashtra And Ors., AIR 2001 SC 3982.

03. In view of the above, this petition is disposed off.

04. Let the District Collector – respondent No.5 decide the appeal preferred by the petitioners on its own merits. Needless to state, if the issue of maintainability arises, the said authority would deal with the said issue as well. We expect him to complete the proceedings expeditiously.

[ANIL L. PANSARE,J.]

[RAVINDRA V. GHUGE,J.]