

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

54 WRIT PETITION NO.8225 OF 2022

**BHAGWAT DADASAHEB LANDGE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...

**AND
58 WRIT PETITION NO.8230 OF 2022**

**SHUBHAM ARUN WAGH
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...

Advocate for the Petitioners : Shri Gandhi Amol S.
GP for Respondent 1/State : Shri D.R.Kale
Advocate for Respondent 2 : Shri Kadethankar Ajit B.

...

**CORAM : RAVINDRA V. GHUGE
&
ARUN R. PEDNEKER, JJ.**

DATE :- 11th August, 2022

Per Court :-

1. In both these petitions, the petitioners pray that the final voters list dated 05.07.2022 published by the Rahata Municipal Council be quashed and set aside. However, owing to the subsequent events, the learned advocate for the petitioners submits, on instructions, that the authorities be directed to

consider the objections of the petitioners in the event of a fresh election process being announced.

2. The learned advocate for the petitioners clarifies that the State Election Commission has issued the communication dated 14.07.2022 addressed to all the District Collectors in the State of Maharashtra indicating that the elections to 92 Municipal Councils and 04 Nagar Panchayats are being stayed in the light of the proceedings before the Honourable Supreme Court. It is then stated that after the decision of the Honourable Supreme Court, the revised election programme would be published. He further submits that in every election programme, initial stage pertains to the formalization of the valid voters list. The petitioners would, therefore, raise their objections with regard to the valid voters as and when such election programme is declared.

3. The learned advocate for the respondent/State Election Commission submits that if the State Election Commission takes a decision of publishing a fresh election programme and follows all stages as are normally required to be followed, the petitioners would get an opportunity to raise an objection. The learned advocate cannot make any statement as

regards whether, the programme would be resumed from the stage at which it was suspended/kept in abeyance or whether, an altogether fresh election programme would be published. He places on record the communication dated 14.07.2022 addressed to all the District Collectors by the Additional Secretary, State Election Commission. The same is marked as “X” for identification.

4. In view of the above, this Writ Petition is disposed off at the request of the petitioners. They are at liberty to avail of a remedy, if a fresh cause of action arises.

kps

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)