

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

3 WRIT PETITION NO.12498 OF 2022

**DIGAMBAR SANDIPAN KHARAT
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY AND
OTHERS**

...
Advocate for Petitioner : Mr. V.P. Savant
AGP for Respondent/State : Mr. G.O. Wattamwar
Advocate for Respondent/State Election Commission/RO : Mr. Ajit
Kadethankar
...

**CORAM : ARUN R. PEDNEKER, J.
DATED : DECEMBER 8th, 2022.**

PER COURT :

1. The learned Advocate for the petitioner has put forth prayer Clause 'B' as under :-

"(B) To issue writ of certiorari or any other appropriate writ, order or directions in the like nature the impugned order dated 05.12.2022 passed by the respondent No.2 Returning Officer accepting the nomination form of the respondent No. 5 may kindly be quashed and set-aside."

2. Election programme of the panchayats are declared on 09.11.2022. The date for submission for nomination was 28.11.2022 to 02.12.2022, the date for scrutiny of nomination was 05.12.2022, the date for withdrawal of nomination is 07.12.2022 and the date of election is 18.12.2022.

3. Election to Panchayats are at an advanced stage and the bar under Article 243(O)(B) of the Constitution of India is applicable to entertain the present petition for the relief claimed. Also, in view of the Judgment passed by this Court in Writ Petition No.12359 of 2022, dated 7.12.2022

and the bar under Article 243(O)(b) of the Constitution of India to entertain the present writ petition, the writ petition is disposed of.

4. The petitioner would be at liberty to assail the grievance raised in the present writ petition, in the appropriate proceedings, in accordance with law. In that event, all contentions of parties are kept open.

[ARUN R. PEDNEKER J.]

ssc/