

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12568 OF 2022

UTTAMRAO RAMESHRAO NARWADE
VERSUS
THE STATE ELECTION COMMISSION THROUGH THE TAHSILDAR
AND OTHERS

...
Advocate for Petitioner : Mr. V. B. Latange
AGP for Respondent-State : Mr. G. O. Wattamwar
Advocate for State Election Commission and Returning Officer : Mr.
Ajit Kadethankar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 09th December, 2022

PER COURT :

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

(B) By issuing writ of certiorari or any other writ, order of directions, the Hon'ble Court may be pleased to quash and set aside the impugned order dated 05.12.2022 passed by Respondent no.2 Returning Officer, Gram Panchayat Waranga Fata, Tq. Kalamnuri, Dist. Hingoli, thereby accepting the nomination form of respondent no.3 may be quashed and set aside and consequently nomination form of respondent no.3 may kindly be rejected and for that purpose issue necessary orders.

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 on 07/12/2022 by this Court in Writ Petition No.12359 of 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.)

vj gawade/-.