

BDP-SPS-TAC

BHARAT
DASHARATH
PANDIT

Digitally signed
by BHARAT
DASHARATH
PANDIT
Date: 2022.06.09
14:21:26 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6578 OF 2022**

Shri Prabhakar Subhrav Thorat

.... Petitioner.

V/s

State of Maharashtra and Others

..... Respondents.

Mr. Abhjjeet Kulkarni i/b Sachin Hande for the Petitioner.

Mrs. V.S. Nimbalkar, AGP for Respondent No.1.

Mr. Deelip Patil, Chief Standing Counsel (SCEA) a/w Pooja Deelip Patil
for Respondent Nos. 2 and 4.

CORAM: NITIN W. SAMBRE, J.

DATE: JUNE 07, 2022

P.C.:-

1] Claim of the Petitioner is, nomination form of Respondent Nos. 5 and 6 are illegally accepted. Objection to the nomination is, said Respondents have obtained loan from the Co-operative Society and as such have incurred disqualification to contest the election. Support is drawn from the certificate dated 21st May, 2022 issued by the Secretary of the Respondent-Credit Society.

2] Even if at this stage it is presumed that there is substance in the contentions of the Petitioner still fact remains that election programme has reached at an advance stage. This Court, in view of above, cannot show indulgence in the matter as same will amount to interfering with

election process which has reached at an advance stage. Hence, no case for interference is made out. Petition fails and same stands dismissed

3] However, Petitioner is at liberty to take out appropriate proceedings questioning the issue which is sought to be raised in the present Petition.

(NITIN W. SAMBRE, J.)