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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1717 OF 2022

Vijay Sambhaji Dalavi .. Petitioner
Versus
The Election Officer, Jaymalhar Vivid
Karyakari (Vikas) Seva Society Ltd.
& Ors. .. Respondents

WITH
WRIT PETITION NO.1641 OF 2022

Ramesh Laxman Patil .. Petitioner
Versus
The Election Officer, Jaymalhar Vivid
Karyakari (Vikas) Seva Society Ltd.
& Ors. .. Respondents

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Mr.Prashant D. Patil for the Petitioners.
Mr.Dilip Bodake for the Respondent Nos.1, 3 and 7 in both the
Petitions.
Mr.Abhay Thorat for the Respondent No.6 in WP/1641/22.
Ms.M.S.Bane, AGP for the State/Respondent in WP/1717/22.
Mr.S.H.Kankal, AGP for the State/Respondent in WP/1641/22.

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CORAM: RAVINDRA V. GHUGE, J.
DATED : 18th FEBRUARY, 2022

P.C:-

1. Both the petitioners are identically placed. Both intend to contest the elections under the election programme dated 11/01/2022. The nomination forms of both the petitioners have been rejected on the ground that the 7/12 extract was not annexed to the nomination form, which is a requirement for acceptance.

2. Objections were raised by respondent No.6 and based on such objections, the petitioners were called upon to produce the 7/12 extract, which they did not. Consequentially by orders dated 04/02/2022, the Returning Officer invalidated their forms. The petitioners have preferred the statutory appeal and the same has also been rejected.

3. Considering the above and since the election programme has already commenced, no ex-parte ad-interim order could be granted in favour of the petitioners to validate their nomination forms and allow them to contest the elections, in as much as, these petitions cannot be entertained.

4. Both these petitions are, therefore, dismissed.

5. Needless to state, the petitioners are not remedyless and can avail of the statutory remedy, as may be permissible in law.

(RAVINDRA V. GHUGE, J.)