

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14486 OF 2022

Dharmendra Uttam Patil

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr.Nagesh Y.Chavan for the Petitioner.

Mr.R.S.Pawar, A.G.P. for the State - Respondent nos.1 to 5.

Mr. Sachindra B.Shetye for the Respondent no.4.

CORAM: R. D. DHANUKA AND

S.G.DIGE, JJ.

DATE : 25TH NOVEMBER, 2022

P.C:-

Leave to amend is granted to implead the State Election Commission as respondent no.6. Amendment to be carried out forthwith. Re-verification is dispensed with.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks writ of certiorari for quashing and setting aside the impugned notification dated 1st August, 2022 issued by the respondent no.2 Collector and also the final voters list dated 21st October, 2022.

3. We are informed by the learned counsel for the respondents that the election programme is already issued in respect of the election in question after declaration of the final voters list of Ward No.3 of respondent no.5. We are thus not inclined to interfere with the election process. The remedy, if any, of the petitioner would be under the provisions of the Maharashtra Village Panchayat Act, 1959 after declaration of result of the ensuing election.

4. Writ petition is dismissed with aforesaid clarification. No order as to costs.

5. It is made clear that this Court has not expressed any views on the merits of the contentions raised by the petitioner. All contentions of both the parties are kept open.

[S. G. DIGE, J.]

[R. D. DHANUKA, J.]