

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.8148 OF 2022

Shivkumar Natthuji Patil, Tembali, Tah. Dharni, Dist. Amravati

-vs-

State of Maharashtra, Thr. Chief Secretary, CS, Mumbai and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. U. Kothekar, Advocate for petitioner.

Shri A. M. Deshpande, I/c Government Pleader for respondent No.1.

CORAM : A. S. CHANDURKAR AND ANIL L. PANSARE, JJ.

DATE : December 19, 2022

P.C.

The petitioner is aggrieved by the withdrawal of his nomination form as indicated by the document at Annexure-4 dated 21/11/2022. This document was submitted at 3 pm and filed at the office of Returning Officer-respondent No.2. It is the contention of the petitioner that this document is ante dated and the same was submitted on 22/11/2022. He seeks to rely upon the document at Annexure-3 to substantiate his contention.

We find that the exercise of recording a factual finding on the basis of contentions raised by the petitioner is not possible in exercise of writ jurisdiction. After the conclusion of the elections the petitioner would have to invoke appropriate statutory remedy for seeking such redress. The writ petition is not entertained since it would involve interference in the election process. By granting liberty to avail the statutory remedy as available after declaration of results and keeping all points open, the writ petition is disposed of. No costs.

(Anil L. Pansare, J.)

(A. S. Chandurkar, J.)