

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

5 WRIT PETITION NO.4649 OF 2023

MADHAV GANGADHAR AMRUTWAD

VERSUS

THE DISTRICT COOPERATIVE ELECTION OFFICER AND
DISTRICT DEPUTY REGISTRAR AND ANOTHER

...

Advocate for Petitioner:

Dr. Nandedkar Sahebrao G.

Advocate for Respondents No.1&2: Mr. S. K. Kadam

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CORAM: ARUN R. PEDNEKER, J.

DATE: 20th APRIL, 2023

PER COURT:

1. Heard.

2. The nomination form of the petitioner describes the place of residence of the petitioner as Hadoli which is not within the market area of the APMC for which he is contesting the election. The learned counsel has also produced a certificate on record that he is a resident of Bhokar. However, the nomination form indicates that his place of residence is Hadoli.

3. The learned counsel submits that he has placed both the records of residence of Hadoli and Bhokar and contends that the election authority should have considered his residence from Bhokar.

4. The authority cannot travel beyond the nomination application. In view of the same, the order passed by the returning officer, so also, by the appellate authority cannot be said to be patently illegal. The petitioner is permitted to raise all the issues by filling an election petition.

5. The Writ Petition is disposed of.

[ARUN R. PEDNEKER, J.]

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