

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

47 WRIT PETITION NO.5359 OF 2022

**SHAIKH SALIM SHAIKH RAHIM AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. R. B. Dhaware, Advocate for the petitioners
Mr. Ajit Kadethankar, Advocate for the respondent No.6
Mrs. D. S. Jape, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 09th AUGUST, 2023

P. C.

1. The petitioner has challenged the order passed by the Additional Divisional Commissioner, Aurangabad dated 11-05-2022 rejecting his appeal challenging the order passed by the District Collector, Nanded dated 03-12-2022. Learned Collector had declared the petitioner disqualified for non submission of election expenses.

2. From the petition it is seen that the petitioner was elected to the Grampanchayat. However during the proceeding, by election has already taken place and another person is now

elected to the said post. In view of this, the petition has become infructuous in view of the judgment in the case of Laxmibai Vs the Collector, Nanded and others reported in (2020) 12 SCC 186.

3. While disposing of this petition, it is made clear that disqualification of the petitioner shall be confined only to the term to which he was elected and not the disqualification for contesting election in future.

4. With this, petition stands disposed off as infructuous.

[KISHORE C. SANT, J.]

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