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

75 WRIT PETITION NO.11184 OF 2023

**VAISHNAVI SANJAY KHINDKAR AND OTHERS
VERSUS
THE DISTRICT COLLECTOR AND OTHERS**

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Mr D. A. Mane, Advocate h/f Mr M. V. Salunke, Advocate for
Petitioners;

Mr A. V. Deshmukh, A.G.P. for Respondent Nos.1 & 4

Mr A. B. Kadethankar, Advocate for Respondent Nos.2 & 3

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 9th October, 2023

PER COURT:

1. The Petitioners pray that their names be included in the Electoral Roll for the General Grampanchayat Elections, Babhulwadi. It is further submitted that the election programme is now declared.

2. Leave to add the Electoral Registration Officer under the Representation of the People Act, 1950 as Respondent No.4. Addition be carried out forthwith. The learned A.G.P. causes appearance on behalf of the added Respondent No.4.

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3. Shri. Kadethankar, the learned Advocate representing Respondent Nos.2 and 3 submits that, unless the Registration Officer does not include the names of the Petitioners in a General Electoral Roll for the State Legislative Assembly elections, the second Respondent/Returning Officer cannot bodily lift the said names from the State Electoral Roll, so as to be included in the Electoral Roll for the General Grampanchayat elections. The applications filed by these Petitioners have already been received by the concerned authority.

4. Shri. Kadethankar, the learned Advocate informs us that the cut-off date for preparing the Electoral Roll for the General Grampanchayat elections, Babhulwadi, was 01/07/2023. Now, that the election programme has been declared, any further indulgence is likely to scuttle the election programme.

5. In view of the above, **this Writ Petition is disposed off.** Respondent No.4 shall initiate appropriate steps. If the Petitioners are found to be eligible, he would enroll their names in the Electoral Roll for the State Legislative Assembly. The follow up action would, therefore, be undertaken with regard to the Electoral Roll for the Grampanchayat Babhulwadi. We make it

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clear that, our order is not intended to change the cut-off date of registration or to cause any indulgence in the election programme, which is already published and such programme shall proceed unhindered.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk