

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6513 OF 2024

Asha Gangaram Totare

...Petitioner

Versus

Election Commissioner

...Respondent

Ms. Asha G. Totare for the Petitioner-in-person.

CORAM : A. S. CHANDURKAR,
JITENDRA JAIN, J.J.

DATED : 8th MAY 2024

ORAL ORDER:

1. The Petitioner-in-person is aggrieved by the order dated 26th April 2024 passed by the Election Returning Officer, 36, Shirur Lok Sabha Constituency. By that order, the Petitioner's nomination form has been rejected on the ground that the requisite number of proposers have not signed the nomination form and further in the affidavit of oath submitted, each page has not been signed by the Petitioner. The Election Returning Officer has held that the nomination form is incomplete and has rejected it under Sections 33(1) and 36 of the Representation of the People Act, 1951 (for short "the said Act").

2. Considering the provisions of Article 329(b) of the Constitution of India, since the election process is ongoing, we are not

inclined to interfere at this stage of the said process. The Petitioner has a remedy under Section 100 of the said Act to challenge the order dated 26th April 2024 after conclusion of the elections.

3. Hence, keeping all points raised open, the Writ Petition is not entertained. Writ Petition is disposed of.

[JITENDRA JAIN, J.]

[A. S. CHANDURKAR, J.]