

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12283 OF 2024
WITH
WRIT PETITION NO.12287 OF 2024
WITH
WRIT PETITION NO.12288 OF 2024
WITH
WRIT PETITION NO.12290 OF 2024
WITH
WRIT PETITION NO.12293 OF 2024
WITH
WRIT PETITION NO.12295 OF 2024
WITH
WRIT PETITION NO.12297 OF 2024
WITH
WRIT PETITION NO.12317 OF 2024

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Amol Anil Karande Petitioners

V/s.

The State of Maharashtra & Ors. Respondents

WITH
WRIT PETITION NO.12286 OF 2024
WITH
WRIT PETITION NO.12294 OF 2024
WITH
WRIT PETITION NO.12313 OF 2024
WITH
WRIT PETITION NO.12315 OF 2024

Dattatraya Laxman Salunkhe Petitioners

V/s.

State of Maharashtra, Thr. GP & Ors. Respondents

Mr.Rushikesh C. Barge, for the Petitioners in all Petitions.

Ms.V.S. Nimbalkar, AGP, for Respondent No.1 and 2-State in Writ Petition No.12283 of 2024 and Writ Petition No.12290 of 2024.

Ms.Leena Patil, 'B' Panel Advocate for Respondent Nos.1 and 2 in WP No.12293, 12294, 12295, 12297, 12313, 12315 of 2024

CORAM : R.M. JOSHI, J.

DATE : 02nd SEPTEMBER 2024

P.C:-

. Leave to amend the Petition.

2. Heard.

3. The learned counsel for the Petitioners submits that the Collector has failed to taken into consideration the provisions of Section 14B of the Maharashtra Village Panchyat Act, which contemplates disqualification in case a person fails to file account of election expenses within the time and in the manner required by the State Election Commission.

4. He drew attention of the Court to the various orders passed by the State Election Commission which indicate that the candidate is required to open Saving or Current Account in Nationalized or Scheduled Bank and that the expenses are to be

incurred therefrom. He stated that except Writ Petition No.12288 of 2024, the bank account has not been opened in a Scheduled or Nationalized Bank. According to both expenses so incurred are to be reported daily to the Returning Officer. It is his submission that, though in the these Petitions there is non-compliance of the said procedure, while passing impugned order the Collector has recorded finding that the expenses incurred by the candidates are duly justified, which according to him is not correct. It is his submission that, as per the guidelines issued by the State Election Commission the expenses are required to be done by cheque except for miscellaneous expenses but in these Petitions the expenses are only incurred in cash. According to him all these issues are not considered by the Collector while rejecting the Application filed by the Petitioner.

5. Having regard to above submissions, issue notice to the Respondents, returnable on 3rd October 2024.

6. Ms.V.S. Nimbalkar, learned AGP waives service for Respondent Nos.1 and 2.

(R.M. JOSHI, J.)