



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

**953 REVIEW APPLICATION (CIVIL) NO. 284 OF 2025
IN
WP/14179/2025**

MOHAMMAD ASGAR HUSSAIN

VERSUS

**RETURNING OFFICER FOR GENERAL ELECTION OF BASMATH
NAGAR MUNICIPAL COUNCIL AND OTHERS**

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Advocate for Applicant : Mr. Chavan Sudhir K

AGP for Respondent/State: Mr. D. R. Korade

Advocate for Respondent No.1 :

Mr. A. G. Shinde h/f. Mr. Sachindra Shetye

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CORAM : ARUN R. PEDNEKER, J.

DATE : 05.12.2025

PER COURT:

1. Heard.

2. The applicant challenged the order passed by the Returning Officer, so also, the order passed by the appellate court rejecting the nomination of the petitioner from Ward No.6 of Municipal Council, Basmath in Writ Petition No.14179 of 2025. This court by order dated 26.11.2025 in Writ Petition No.14179 of 2025 dismissed the petition with liberty to the petitioner to seek alternate remedy as available in law. The court noticed that the election process was at an advanced stage and the last date for allotment of symbols was on 26.11.2025 and, as such, this court

dismissed Writ Petition No.14179 of 2025 with liberty to approach the appropriate court.

3. The petitioner has filed review application seeking review of order dated 26.11.2025 in Writ Petition No.14179 of 2025, contending that the elections are now postponed to the ward to which the petitioner is contesting and the last date of withdrawal of nomination is 10.12.2025. The petitioner's nomination was rejected as it is observed by the Returning Officer, so also, by the appellate Court on the ground that the petitioner has third child after the cut-off date.

4. The learned counsel for the petitioner has advanced various arguments and submits that there is no clear evidence as regards the third child being born after the cut-off date. This being disputed question before this court, it would not be possible to render alternate finding in the review application.

5. Considering the same, the review application is dismissed by granting liberty to the petitioner to take such steps as is available in law by filing appropriate proceedings.

[ARUN R. PEDNEKER, J.]