

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4317 OF 2015

Jagdish Maruti Patil and others.	...	Petitioners.
V/s.		
State of Maharashtra and others.	...	Respondents.

C.G.Patil for the petitioners.

PG.Sawant, AGP for respondent Nos.1, 3 and 4.

S.B.Shete for respondent No.2.

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

DATED : 30th June 2015.

PC.

Heard.

2. The contention of the petitioner is that house numbers mentioned in the draft order passed under rule 2 of Bombay Village Panchayat (Number of Members, Division of Wards and Reservation of Seats) Rules, 1966 were altered by issuing final notification. For example in the draft notification house nos.60 to 100 were shown in ward No.1 which was missing in the final notification. House No.195 was not mentioned in the draft notification and the same was shown in ward No.3 in the final notification. It is submitted that petitioner had taken more than 100 objections out of which some objections were upheld and others

were rejected without showing any reason. On objections of the petitioner, names of some voters were added without there being any basis for the same. Learned counsel for the petitioner submitted that neither the formation of wards was done in accordance with law nor the voters list was maintained up-to-date.

3. Mr.Shete, learned counsel appearing for respondent No.2-Election Commission, on instructions and on the basis of record, submits that order finalising ward formation has been passed by the Collector, Kolhapur on 9th February 2015 which has not been challenged in this petition. Copy of the said order tendered by learned counsel is taken on record. It is submitted that formation of wards in relation to the allocation of houses has been corrected. House Nos.66 to 100 would fall in ward No.2 and house No.195 would fall in ward No.3. Necessary instructions in this regard would be issued. Learned counsel further submits that apart from the objections filed by the petitioner, other objections were also received in respect of voters list and allocation of house numbers. Accordingly, the concerned authority considered those objections and has corrected the voters list. The voters list is updated upto cut of date i.e. 18th May 2015. The said voters list is made final on 13th June 2015. Needless to mention that the voters list is based on assembly list.

4. We have perused the record and the order passed by the Collector, Kolhapur on 9th February 2015. We have also considered the submissions advanced.

5. The election programme is declared on 26th June 2015. Allocation of specific house numbers as mentioned above has been corrected. Objections raised were considered by the authority and the voters list was corrected and made up-to-date. As the election programme is declared and the process is set in motion, no interference is warranted in our extra ordinary writ jurisdiction. Petition is disposed of.

(S.B. SHUKRE, J.)

(NARESH H. PATIL, J.)

Sanjay Nanoskar, P.S..