



1272-2025

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**WRIT PETITION NO. 1272 OF 2025**

**(Vaibhav Wasudeo Ekade Vs. The Additional Divisional Commissioner, Amravati Division & Ors.)**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.

Court's or Judge's orders.

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Mr. Pritesh Atkar, Counsel for the petitioner.  
Ms K.P. Marpakwar, A.G.P for respondent nos. 1 and 2/State.

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**CORAM : ANIL L. PANSARE, J.**  
**APRIL 5, 2025**

Heard.

2] The petitioner was elected as Upa-Sarpanch in a meeting held on 4/1/2023. The election has been set aside by respondent no.2 on the count that nomination should have been submitted in first session to the Presiding Officer and Secretary in terms of letter dated 8/12/2017 issued by the Rural Development Department. According to respondent no.2, the said direction has been not complied with.

3] The learned Counsel for the petitioner submits that the Presiding Officer would be Sarpanch, who was absent in the first half, that too, without intimation. Accordingly, the nomination was submitted to the Secretary. The learned Counsel submits that such breach will not vitiate the election process. In support, he has referred to the judgment of Division Bench of this Court in the case of *Abdul Gani Haji Mohamad Vs. Collector, Akola [1963 Mh.L.J. 41]*.

4] Issue notice to the respondents returnable on 5/5/2025.

5] The learned Counsel for the petitioner submits that election for the post of Upa-Sarpanch has been declared by the Collector and will be held on 14/4/2025.

6] The result of the election be not published till next date.

7] The petitioner shall comply with practice note no. 14 of the Bombay High Court Appellate Side Rules, 1960, particularly, Clause (5) thereof.

**(ANIL L. PANSARE, J.)**

Sumit