

विषय :- दावा क्र. इलेक्शन पिटीशन ५६/२००७
श्रीम. हर्षदा मिलन म्हात्रे
विरुद्ध
मिरा भाईदर महानगरपालिका


संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/१५६२/२००७-०८
दि. ३/१०/२००७ चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईदर महानगरपालिका सार्वत्रिक निवडणूक २००७ च्या वॉर्ड क्र. १ मधून निवडून आलेल्या उमेदवार श्रीम. दिव्या अशोक तिवारी यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.


नगरसचिव कर्तव्य

मिरा भाईदर महानगरपालिका


लिपिक
विधीकार्यकाळ विभाग
मिरा-भाईदर महानगरपालिका

मिरा भाईदर महानगरपालिका
विधी विभाग

जा.क्र.मनपा/विधी/१५६२/२००७-०८

दि. ३१/०१/०७

प्रति,
मा. नगरसचिव,
सचिव विभाग
मिरा भाईदर महानगरपालिका

नगरसचिव विभाग	
स.प./न.प./ज.प./आ.क्र.	
दिनांक : ३१/०१/०७	२४८

विषय :- दावा क्र. इलेक्शन पिटीशन ५६/२००७
श्रीम. हर्षदा मिलन म्हात्रे
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यक ती माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील वादी यांनी वरील याचीका मा. न्यायालय, ठाणे येथे दाखल करून सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेत याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईदर महानगरपालिकेच्या सार्वत्रिक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आल्या होत्या त्यानुसार वॉर्ड क्र. १ मधून प्रतिवादी क्र. १ नावे श्रीम. दिव्या अशोक तिवारी यांनी नामांकनाचा अर्ज दाखल केला होता. तरी सदर नामांकन अर्जासोबत प्रतिवादी क्र.१ यांनी जोडलेली कागदपत्रे चुकिची आहेत.

तरी सदर दाव्याची आवश्यक ती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

Sevadhe

विधी अधिकारी
विधी विभाग
मिरा भाईदर महानगरपालिका

प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईंदर महानगरपालिका

विषय :- दावा क्र. इलेक्शन पिटीशन 43/2007
श्री. दौलतसिंग करणसिंग भारी
विरुद्ध
मिरा भाईंदर महानगरपालिका

संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/9569/2007-08
दि. 3/90/2007 चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईंदर महानगरपालिका सार्वत्रिक निवडणूक 2007 च्या वॉर्ड क्र. 88 मधून निवडून आलेले उमेदवार श्री. नरेंद्र लालचंद मेहता यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.

Demmer
8/9/07
लिपिक
विधीकारकाज विभाग
मिरा-भाईंदर महानगरपालिका

W. K. K.
नगरसचिव
मिरा भाईंदर महानगरपालिका

मिरा भाईदर महानगरपालिका
विधी विभाग

जा.क्र.मनपा/विधी/१५६१/२००७-०८

दि. ३१/१०/०७

प्रति,
मा. नगरसचिव,
सचिव विभाग
मिरा भाईदर महानगरपालिका

नगरसचिव विभाग	
स.प./न.प./ज.प./आ.प.	
दिनांक : ३१/१०/०७	२४७

विषय :- दावा क्र. इलेक्शन पिटीशन ५३/२००७
श्री.दौलतसिंग करणसिंग भारी
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यक ती माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील याचिकेदार यांनी वरील याचीका मा. न्यायालय, ठाणे येथे दाखल करुन सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेत याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईदर महानगरपालिकेच्या सार्वत्रिक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आल्या होत्या त्यानुसार वॉर्ड क्र. ४४ मधून प्रतिवादी क्र.१ नावे श्री. नरेंद्र लालचंद मेहता यांनी नामांकनाचा अर्ज दाखल केला होता तसेच सदर नामांकन अर्जासोबत जोडलेली माहिती चुकीची व अपूर्ण आहे.

तरी सदर दाव्याची आवश्यक ती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

Seemadhe

विधी अधिकारी
विधी विभाग

मिरा भाईदर महानगरपालिका

सोबत:- दाव्याची प्रत

Shri. Daulatsingh Karansingh Bhari,(Bhati) [NCP]

Age 40 Occ. Business,

Residing at- House of Mewad,

107, Near Congress House,

B. P. Road, Bhayander (E)

Tal and Dist. Thane.

...Petitioner

V/S.

1. Shri Narendra Lalchand Mehta [Independent]
Age 35 Occ. Business
Residing at -
D-6, Shagun Banglow,
Golden Nest, Phase - III
Mira Road (E)
Tal and Dist Thane.
2. Shri. Dattaram Baburao Darekar [MNS Party]
Age. Adult Occ
R/A. B-Wing, 107, Prakash Kunj
B.P. Road. Bhayander (E)
3. Shri. Govind Lasaji Jani [BJP]
Age Adult Occ
R/A 1/2, Monica Tower,
Chandan Park, Jaisel Park,
Bhayander (E)
4. Shri. Vijay Tekchand Khanna [Independent]
Age. Adult Occ
R/A. 209, B-Wing,
Ramchandra Apartment
Mavghar Road, Bhayander (E)
5. Shri. Rajendra Doyaram Purohit [Lokbharati Party]
Age. Adult Occ
R/A. F/206, B-wing,
Sudhkar shopping Centre,

- Age. Adult Occ
R/A. 402/B Shiv Shradha Tower,
B. P. Road, Bhayander (E)
7. Shri. Jagdish Tagatsingh Rajpurohit [Independent]
Age. Adult Occ
R/A. 2, Ground Floor A-wing,
Venkatesh Nagar III, Cabin Road,
Bhayander (E)
8. Shri. Rameshchandra Mathuradas Rajput [Independent]
Age. Adult Occ
R/A. A/202, Vrindavan Aptt.
B.P. Road,
Bhayander (E)
9. Shri. Ranjit Surajprakash Sharma [Independent]
Age. Adult Occ
R/A. 7, Ground Floor,
Ayodhya Niwas, Goddev Naka,
Bhayander (E)
10. Shri. Vishwanath Raghav Shetty [Independent]
Age. Adult Occ
R/A. 103, Sonam CHS. Ltd.
Building No.13, Golden Nest,
Mira-Bhayander Road
Bhayander (E)
11. Shri. Jayprakash Rajendraprasad Shukla [Independent]
Age. Adult Occ
R/A.

Bhayander (E)
12. Shri. Satishchandra Ramakant Tiwari [Independent]
Age. Adult Occ
R/A. 310, Santosh Niwas,
B.P. Road, Bhayander (E)
13. Shri. Sureshchandra Adityanarayan Upadhye [Independent]
Age. Adult Occ
R/A. Ramnagar B- Building,
Shop. No. 17, Samadhi Prakash Karyalya,
Navghar Road, Bhayander (E)
14. The Commissioner
Shri. Sudamrao Gaikwad
[In the Capacity of Chief Election Officer]
Mira-Bhayander Municipal Corporation
Tal and Dist. Thane

15. The Returning Officer
For ward No. 44
Mira- Bhayander Municipal corporation
Tal and Dist. Thane

...Respondents.

Petition U/S 16 of the Bombay Provincial
Municipal Corporation Act 1949.

MAY IT PLEASE YOUR HONOUR

The petitioner most respectfully submits as under:

- 1) That he is a permanent resident at the address shown in the title and that his name is shown in the Electoral Roll at Serial No. 1023 at Page No. 25. from Ward No. 44 The petitioner contested from the NCP, a political party from ward No. 44 in the Election for the Mira - Bhayander Municipal Corporation, which was held on 12/8/2007. The Respondent No. 1 has been declared as the returning candidate who had contested as an Independent Candidate in the said election. That the respondent No. 2 to 13 also contested the said election.
- 2) The petitioner submits that he had complied with all the requisitions at the time of filing of his nomination form accompanied by the annexure's declarations and affidavit and therefore his nomination form was accepted.
- 3) The petitioner adds that the said ward No. 44 was an open category. As per the notification published the intending candidates were required to submit their candidature forms between 18/7/2007 to 25/7/2007 before 15:00 hrs. that the scrutiny of the application forms was to be conducted by the respondent No. 15 on 26/7/2007. That the date for withdrawal of nomination form was on and from 27/7/2007 to 30/7/2007 and the final eligible candidates names were declared on 31/7/2007.
- 4) The petitioner adds that the election for Mira- Bhayander Municipal Corporation were held on 12/8/2007. The results were declared on 13/8/2007 and the Government Gazette was published on 16/08/2007 by the collector of Thane in which the names of elected Corporators are mentioned. It is submitted that the respondent No. 1 has been

shown as elected from ward No. 44. The Respondent No. 1 out of 2584 total voters, secured 939 votes and the petitioner secured 526

- 5) The petitioner adds that the respondent No. 1 who had filed his nomination as an independent candidate for election had submitted his nomination form supported by various documents which are mandatory required. It is submitted that there were so many important facts which were not disclosed. The form was incomplete. There was suppression of facts. The respondent No. 1 was in arrears in so far as the property tax payable to the Mira-Bhayander Municipal Corporation. Moreover the affidavit suffers from falsity due to such and other factors, it can be safely concluded that the scrutiny which was done by the respondent No. 15 was superficial, incorrect or improper and therefore illegal as it was not as per the mandatory requirement. The nomination ought to have been rejected at the scrutiny stage itself.
- 6) The petitioner adds that under the state Election Commission order dated 3/7/2002. The nomination form mandatory requirements are clearly mentioned. It categorically states that non furnishing of affidavits, furnishing of any wrong or incomplete information or suppression of any material information may result into rejection of nomination paper. Similarly there is another notification dated 15/3/2006 issued by the state Election Commission which has categorically prescribed the format of affidavit. There is a clear violation on the part of the Respondent No. 1 as stated above and therefore the election results in favour of the returning/winning candidate is void and needs to be set aside.
- 7) The petitioner adds that he has all the documentary evidences which are filed along with a separate list filed along with this petition to prove his case. It is submitted that the respondent No. 1 in his declaration has stated that there are no dues pending to Mira-Bhayander Municipal Corporation against his name. In this respect the petitioner shall prove that the Respondent No. 1 has not paid his property tax and that the arrears were there. The petitioner adds that there are other properties which in fact are in the name of the Respondent No. 1 but the same are being suppressed. The said properties details shall be brought with supporting documents at the appropriate stage and for which this petitioner craves leave to produce the same as and when obtained.
- 8) The petitioner adds that the respondent No.1 has corruptly managed to change the electoral voters list. That there are hundreds of names in the final list published by the Municipal Commissioner Mira-Bhayander under his signature who was also the Chief election officer

for the Municipal Corporation area. It is submitted that hundreds of names of voters were "inserted" by not following the due procedure or without verifying the reality in respect of proof of address etc. It is submitted that all such inserted additional names are also appearing in the other wards Voters list. There are duplication of names of voters in more than one ward.


- 9) It is submitted that as stated above because of the fraudulent insertion of names in the voters list touching the subject matter of dispute the Respondent No. 1 has by illegal means gained from the same for the simple reason that all these voters voted the respondent No. 1. The Petitioner in fact had on coming to know the fraudulent insertion of voters names objected immediately to all the concerned election authorities vide several complaints/letters which were duly acknowledged. The said letters are dated 22/6/07, 25/6/07, 5/7/07 and 9/8/07. It is submitted that in the letter dated 22/6/07 there is a specific mention about Buildings like Shital Niketan, Jay Ambe Apartment, Vrindavan and Shubhalaxmi Apartment in which it was fraudulently shown that Voters/ persons are staying but the petitioner specifically pointed out those persons/Voters are not staying still it was overlooked and they were allowed to Vote despite they being not eligible as they were not staying in the said buildings. And such Voters were to the tune of 500 or more which has materially affected the fair election.
- 10) The petitioner adds that on the election day ie. On 12/8/2007 he and his polling agents once again took objections in respect of the inserted "Bogus" Voters in Booth No. 3 but the concerned election officers not only overlooked but went to the extent of getting arrested by the Mira Road Police Station. The Petitioner was illegally detained for about two hours from 9.30 am to 11.30 am by Police officers Viz. Shri Nitin Murade and Shri Manohar Ranmale (even his polling agent was detained in the police station along with the petitioner) and during which time the total control over the election was lost. The respondent No. 1 had managed all this and he saw to it that maximum voting takes place from those of the INSERTED names Voters in the absence of the petitioner while he was detained in the police Station. It is also to be noted that there were no forms kept for taking objections in respect of Bogus Voters.
- 11) The petitioner adds that in view of the facts and circumstances as stated above the results of the election which were held on 13/8/2007 have materially affected due to the improper reception and/or illegal acceptance of the nomination. The respondent no. 1 has committed a fraud. He has not disclosed the true and material facts which were very much within his personal knowledge. By suppressing

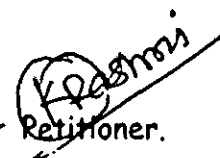
and stating false information in his affidavit/ declaration he has committed a serious offence. It is to be noted that the apex court only after finding it necessary has passed an order that the candidates while contesting the elections they should at the time of filing the nomination must file affidavit/s declaring all the factual position on oath in order to preserve the sanctity of the democracy. In the instant the very object has been frustrated. The orders passed by the Hon'ble, Apex Court are violated. The provisions/ principles as laid down under the Act, Election Rules, Notifications/ orders passed by the election commission/s from time to time are all violated and therefore the elections results declared on 13/8/2007 and on 16/8/2007 through the government gazette in favour of the respondent No. 1 are void and/or illegal and needs to be set aside in the interest of justice.

- 12) The cause of action for filing of this petition firstly arose on 22/6/2007 when the objection was taken by the petitioner in respect of the fraudulent Voters list dated 20/6/07 and thereafter it again arose when again on 25/6/07 the complaint was repeated and this time to all the other authorities. 26/7/2007 when the scrutiny was improper and incorrect. There after it again arose on 31/7/2007 when the eligible candidates list was declared and finally it arose on 16/8/2007 when the notification was published by the collector of Thane declaring the Respondent No. 1 as elected Candidate.
- 13) That the election results were declared on 16/8/2007 when the notification was published by the Collector of Thane and therefore under the Act this petition is filed within limitation i.e. 10 days from the date of publication.
- 14) That the elections which were held were for the Mira-Bhayander Municipal Corporation and therefore this Hon'ble Court has the jurisdiction to try, entertain and dispose of this matter.
- 15) The petitioner therefore prays that:
 - a. It be declared and decreed that the Respondent No. 1 did not comply with the mandatory requirements at the time of filing of Nomination forms as per the directions/ notification/ orders issued by the Hon'ble Apex Court, Election Commission.

- c. It be further declared and decreed that due to the improper and illegal acceptance of nomination form of Respondent No. 1 the election result has been materially affected and therefore it is void and needs to be set aside.
- d. It be further declared and decreed that the Respondent No. 14 committed illegality and also was instrumental and unfair in allowing the WRONG INSERTION of hundreds of Voters in the Voting list for ward No. 44 who infact were not eligible from the said Ward and whose names were also appearing in the other wards Voters List and on account of which the election result has been materially affected and therefore it is void and needs to be set aside.
- e. The Hon'ble Court be pleased to further declare Petitioner as returning/ winning candidate as he has secured Second highest votes in the election dated 13/8/2007 from ward No. 44.
- f. The Hon'ble Court be pleased to disqualify the Respondent No. 1 for becoming a Councillor of any Local Authority for a period of six years.
- g. Pending the hearing and final disposal of this petition the Hon'ble Court be pleased to pass such Ad-Interim/ Interim orders thereby restraining the Respondent No. 1 from acting as Corporator/councillor or taking part as Councillor in the Proceedings/ Meetings of the Municipal Corporation and to exercise his right to vote as Councillor.
- h. Any other order in the interest of justice be passed in favour of the petitioner

Filed in court
On 22/8/2007


Petitioner


Adv. for Petitioner.


Verification

I Shri. Daulatsingh Karansingh Bhari, (Bhari) Age 40 residing at the address mentioned in the title and the petitioner herein do hereby state on solemn affirmation that whatever stated herein above is true and correct to the best of my knowledge, belief and information.

Solemnly affirmed at Thane.



Petitioner.


Advocate for Petitioner.

Filed in Court
On 22/8/2007

जा.क्र. मनपा/सचिव/२६९/२००७-०८

दिनांक :- ५/१०/२००७.

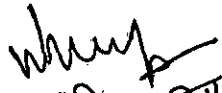
प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईदर महानगरपालिका

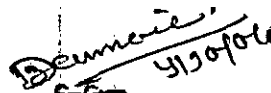
विषय :- दावा क्र. इलेक्शन पिटीशन ५४/२००७
श्री. संदिप मोहन पाटील
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/१५६३/२००७-०८
दि. ३/१०/२००७ चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईदर महानगरपालिका सार्वत्रिक निवडणूक २००७ च्या वॉर्ड क्र. २७ मधून निवडून आलेल्या उमेदवार श्रीम. नयना गजानन म्हात्रे यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.


नगरसचिव करिता
मिरा भाईदर महानगरपालिका


लिपिक
विधीकारुकाज विभाग
मिरा-भाईदर महानगरपालिका

मिरा भाईदर महानगरपालिका विधी विभाग

जा.क्र.मनपा/विधी/१५९३/२००७-०८

दि. ३१/१०/०७

प्रति,
मा. नगरसचिव,
सचिव विभाग
मिरा भाईदर महानगरपालिका

नगरसचिव विभाग	
स.प./न.प./ज.प./आ.क्र.	२०९
दिनांक :- ३१/१०/०७	

विषय :- दावा क्र. इलेक्शन पिटीशन ५४/२००७
श्री. संदिप मोहन पाटील
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यक ती माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील याचिकेदार यांनी वरील याचीका मा. न्यायालय, ठाणे येथे दाखल करून सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेतील परिच्छेद क्र.५ नुसार याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईदर महानगरपालिकेच्या सार्वत्रिक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आलेल्या होत्या त्यानुसार वॉर्ड क्र. २७ हा इतर मागासवर्गीय विभाग म्हणून जाहीर केला होता सदर वॉर्ड क्र. २७ मधून निवडून आलेल्या उमेदवार श्रीमती नयना गजानन म्हात्रे यांनी उमेदवारी अर्ज भरताना सोबत जोडलेली कागदपत्रे चुकीची आहेत.

तरी सदर दाव्याची आवश्यक ती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

Sevadike

विधी अधिकारी
विधी विभाग
मिरा भाईदर महानगरपालिका

सोबत:- दाव्याची प्रत

TRUE COPY

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K.P. Kashmi
ADVOCATE FOR PETITIONER

IN THE COURT OF THE HON'BLE CIVIL JUDGE (SD) THANE AT THANE

Election Petition No. 54/2007.

SHRI. SANDIP MOHAN PATIL
Age 31 Yrs., Occ. Business
Residing at- Vitththal Kutir,
Murdhe Village, Near Gaondevi mandir,
Via Bhayandar (West),
Tal and Dist. Thane.

Petitioner

V/S.

1. Smt. Nayana Gajanan Mhatre
Age - Adult Occ- Unknown
Gajanan Mhatre Niwas, Reva Agar,
Sadanand Nagar, Near M.B.M.C. School,
Murdhe Village, Via Bhayandar (West),
Tal and Dist. Thane.
2. Shri. Bhanudas Bhalchandra Bhoir
Age Adult Occ Business
Kirti Bangalow, Murdhe Village,
Via Bhayandar (West),
Tal and Dist. Thane.
3. Shri. Bhaskar Moreswar Bhoir
Age Adult Occ. Business
House No.131, Murdhe Village,
Uttan road, Via Bhayandar (West),
Tal and Dist. Thane.
4. Shri. Chandrakant Mahadev Gharat
Age Adult Occ. Business
Janabai Niwas, Morva Village,
Uttan road, Via Bhayandar (West),
Tal and Dist. Thane.

Murdhe Village, Uttan road,
Via Bhayandar (West),
Tal and Dist. Thane.

6. Shri. Prabhakar Vasudev Patil
Age Adult Occ. Business
Sai Preet House, House No.22, Murdhe Village,
Uttan road, Via Bhayandar (West),
Tal and Dist. Thane.

7. The Returning officer
For the ward No. 27
Mira Bhayander Municipal corporation
Tal and Dist Thane.

...Respondents.

Petition U/S 16 of the Bombay Provincial
Municipal Corporation Act 1949

MAY IT PLEASE YOUR HONOUR

The petitioner most respectfully submits as under:

- 1) That he is a permanent resident at the address shown in the title and that his name is shown in the Electoral Roll at Serial No. 3215 at Page No.75. from ward No.27. The petitioner contested from the Shivsena, a political party from ward No.27 in the Election for the Mira - Bhayander Municipal Corporation, which was held on 12/6/2007. The said Ward was reserved for General (O.S.C.). The Respondent No. 1 has been declared as the returning candidate who had contested from Bahujan Samaj Party a political party in the said election. That the respondent No. 2 also contested the said election as an Shivsena candidate. That the Respondent No. 3 was a candidate from Bharatiya Janata Party political Party for the election held. That the Respondent No. 4 was a candidate an Independent Candidate. That the Respondent No.5 was a candidate from Indian National Congress political Party for the election held. That the Respondent No. 6 was an Independent candidate.
- 2) The petitioner submits that he had complied with all the requisitions at the time of filing of his nomination form accompanied by the

annexure's declarations and affidavit and therefore his nomination form was accepted.

- 3) The petitioner adds that the said ward No. 27 was for a General (O.B.C.) reserved category. As per the notification published the intending candidates were required to submit their candidature forms between 18/7/2007 to 25/7/2007 before 15:00 hrs. that the scrutiny of the application forms was to be conducted by the respondent No. 7 on 26/7/2007. That the date for withdrawal of nomination form was on 26/7/2007 to 30/7/2007 and the final eligible candidates names were declared on 31/7/2007
- 4) The petitioner adds that the election for Mira- Bhayander Municipal Corporation were held on 12/8/2007. The results were declared on 13/8/2007 and the Government Gazette was published on 16/08/2007 by the Commissioner of Mira Bhayander in which the names of elected Corporators are mentioned. It is submitted that the respondent No. 1 has been shown as elected from ward No.27. The Respondent No. 1 out of 3471 total voters, secured 805 votes and the petitioner secured 709 votes.
- 5) The petitioner adds that the respondent No. 1 who had filed her nomination as a candidate for Bahujan Samaj Party had submitted her nomination form supported by various documents which are mandatory required. It is submitted that there were so many important facts which were not disclosed. More specifically the Caste Certificate. It is submitted that she has attached a Caste certificate showing her caste as HINDU- AGALE (KALAN). The returning officer ie Resp. No. 7 did not bothered to go through the verification of her Caste by asking Suo-Moto the additional supporting documents pertaining to the caste Certificate and straight away allowed her Nomination form on the Scrutiny day ie on 26/7/2007 and thus committed a gross mistake rather illegality. The Nomination form was incomplete. There was suppression of facts. Moreover the affidavit suffers from falsity due to such and other factors, it can be safely concluded that the scrutiny which was done by the respondent No. 7 was superficial, incorrect or improper and therefore illegal as it was not as per the mandatory requirement. The nomination ought to have been rejected at the scrutiny stage itself.
- 6) The petitioner adds that under the state Election Commission order dated 3/7/2002. The nomination form mandatory requirements are clearly mentioned. It categorically states that non furnishing of affidavits, furnishing of any wrong or incomplete information or suppression of any material information may result into rejection of nomination paper. Similarly there is another notification dated

violation on the part of the Respondent No. 1 as stated above and therefore the election results in favour of the returning/winning candidate is void and needs to be set aside.

- 7) The petitioner adds that the filing of the affidavit without proper and necessary actual facts amounts to a serious defect. The very purpose of filing an affidavit is frustrated if it is not filed without verifying the contents on oath. It is therefore a substantive and incurable defect and the same cannot be described as merely of technical error or irregularity which can be regularised after wards.
- 8) The petitioner adds that in view of the facts and circumstances as stated above the results of the election which were held on 13/8/2007 have materially affected due to the improper reception and/or illegal acceptance of the nomination. The respondent no. 1 has committed a fraud. She has not disclosed the true and material facts which were very much within her personal knowledge. By suppressing and stating false information in her affidavit/ declaration she has committed a serious offence. It is to be noted that the apex court only after finding it necessary has passed an order that the candidates while contesting the elections they should at the time of filing the nomination must file affidavit/s declaring all the factual position on oath in order to preserve the sanctity of the democracy. In the instant the very object has been frustrated. The orders passed by the Hon'ble Apex Court are violated. The provisions/ principles as laid down under the Act, Election Rules, Notifications/ orders passed by the election commission/s from time to time are all violated and therefore the elections results declared on 12/8/2007 and on 16/8/2007 through the government gazette in favour of the respondent No. 1 are void and/or illegal and needs to be set aside in the interest of justice.
- 9) It is further submitted that moreover in the instant case considering the fact of the Ward No. 27 being reserved for O.B.C. General Ward is frustrated as the said Respondent No. 1 does not belong to the said Caste and therefore the representation to the said Ward cannot be made in the Corporation which further amounts to playing fraud on the Voters. All the Voters are being misrepresented by her and has thus materially affected the Voting/election process itself.
- 10) The cause of action for filing of this petition firstly arose on 25/7/2007 when the respondent No. 1 filed her false Nomination Form. Thereafter it again arose on the date of scrutiny on 26/7/07 when it was improper, incorrect and illegal. There after it again arose

finally it arose on 16/8/2007 when the notification was published by the Commissioner of Mira Bhayander Municipal Corporation declaring the Respondent No. 1 as elected Candidate.

11) That the election results were declared on 15/8/2007 when the notification was published by the Commissioner of Mira Bhayander Municipal Corporation and therefore under the Act this petition is filed within limitation i.e. 10 days from the date of publication.

12) That the elections which were held were for the Mira- Bhayander Municipal Corporation and therefore this Hon'ble Court has the jurisdiction to try, entertain and dispose of this matter.

13) The petitioner therefore prays that:

a. It be declared and decreed that the Respondent No. 1 did not comply with the mandatory requirements at the time of filing of Nomination forms as per the directions/ notification/ orders issued by the Hon'ble Apex Court, Election Commission.

b. It be further declared that the Respondent No. 7 committed mistake and passed illegal orders by approving the Nomination Form filed by Respondent No. 1

c. It be declared that though the Respondent No. 1 does not belong to the said O.B.C. category still her nomination was wrongly and illegally accepted by the Respondent No.7

d. It be further declared and decreed that due to the improper and illegal acceptance of nomination form of Respondent No. 1 the election result has been materially affected and therefore it is void and needs to be set aside.

e. The Hon'ble Court be pleased to further declare Petitioner as returning/ winning candidate as she has secured Second highest votes in the election dated 13/8/2007 from ward No.27.

f. The Hon'ble Court be pleased to disqualify the Respondent No. 1 for becoming a Councillor of any Local Authority for a period of six years.

Not Mr.

Corporator/councillor or taking part as Councillor in the Proceedings/ Meetings of the Municipal Corporation and to exercise his right to vote as Councillor.

h. Any other order in the interest of justice be passed in favour of the petitioner

Filed in court
On 24/7/2007

sdh
Petitioner.

Verification

I Shri. Sandip Mohan Patil, Age 31 - residing at the address mentioned in the title and the petitioner herein do hereby state on solemn affirmation that whatever stated herein above is true and correct to the best of my knowledge, belief and information.

Solemnly affirmed at Thane.

sdh
Petitioner.

sdh
Advocate for Petitioner.

Filed in Court
On 24/8/2007

जा.क्र मनपा/सचिव/२४६/२००७-०८

दिनांक :- ५/१०/२००७.

प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईंदर महानगरपालिका


विषय :- दावा क्र. इलेक्शन पिटीशन ५५/२००७
श्रीम. नंदा हरेश गावंड
विरुद्ध
मिरा भाईंदर महानगरपालिका

संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/१५६०/२००७-०८
दि. ३/१०/२००७ चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईंदर महानगरपालिका सार्वत्रिक निवडणूक २००७ च्या वॉर्ड क्र. ७९ मधून निवडून आलेल्या उमेदवार श्रीम. अनिता जयंत पाटील यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.

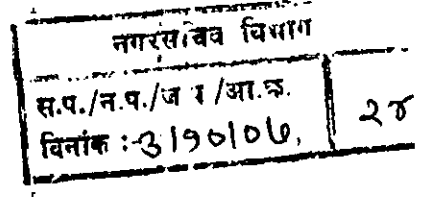
५/१०/०७
लिपिक
विधीकारकाज विभाग
मिरा-भाईंदर महानगरपालिका


नगरसचिव
मिरा भाईंदर महानगरपालिका

जा.क्र.मनपा/विधी/ १५६० /२००७-०८

दि. ३/१०/०७

प्रति,
मा. नगरसचिव,
सचिव विभाग
मिरा भाईंदर महानगरपालिका



विषय :- दावा क्र. इलेक्शन पिटीशन ५५/२००७
श्रीम. नंदा हरेश गांवड
विरुद्ध
मिरा भाईंदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यक ती माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील याचिकेदार यांनी वरील याचीका मा. न्यायालय, ठाणे येथे दाखल करुन सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेतील परिच्छेद क्र. ५ नुसार याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईंदर महानगरपालिकेच्या सार्वत्रिक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आल्या होत्या त्यानुसार वॉर्ड क्र. ७९ हा स्त्रियांसाठी इतर मागासवर्गीय विभाग म्हणून जाहीर केला होता सदर वॉर्ड क्र.७९ मधून प्रतिवादी क्र. १ नावे श्रीम. अनिता जयंत पाटील यांनी निवडणूक लढविली होती परंतु सदर प्रतिवादी क्र.१ इतर मागासवर्गीय विभागातील नसुन त्यांच्या निवडणूक अर्ज प्रतिवादी क्र.४ यांनी अनधिकृतपणे स्विकृत केला आहे.

तरी सदर दाव्याची आवश्यक ती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

Sevadhe

विधी अधिकारी
विधी विभाग
मिरा भाईंदर महानगरपालिका

सोबत:- दाव्याची प्रत

मिरा-भांडोली नगर पालिका
 आ. सं. ७६७५
 दाखल ता. २७/९/७७

१५२५
 रकबा
 २७/९/७७

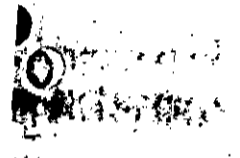
आयुक्त
 सि. भा. मनपा

प्र. ७७७

मि. भा. मनपा

१. अ. सं. ७६७५ (अ. सं. ७६७५) (अ. सं. ७६७५)
 (अ. सं. ७६७५) (अ. सं. ७६७५) (अ. सं. ७६७५)
 Rev. and H. A. No. 170 1366 IV
 (१७-११-७७)

यादी (अ. सं. ७६७५) (अ. सं. ७६७५) (अ. सं. ७६७५)
 यादी (अ. सं. ७६७५) (अ. सं. ७६७५) (अ. सं. ७६७५)
 यादी (अ. सं. ७६७५) (अ. सं. ७६७५) (अ. सं. ७६७५)



- १) मि. भा. मनपा
- २) मि. भा. मनपा

१) मि. भा. मनपा
 २) मि. भा. मनपा
 ३) मि. भा. मनपा

मि. भा. मनपा
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 मि. भा. मनपा

Recd. on
 27/9/77
 at 3.10pm

तुम्हाला नोटीस देण्यात येत आहे की, उपरोक्त दिवशी हजर न राहिल्यास तुमच्या गैरहजेराबाबत वादाची पुनावणी होऊन निर्णय दिला जाईल, याची दखल घ्यावी.

ससंच तुम्हाला अगोरी नोटीस देण्यात येत आहे की, उपरोक्त दिनांकास दिल्या तत्पुर्वी तुम्ही घडणुकांबाबत तुमचा पत्राचार न करतास, तुमच्या बाबत ही नोटीस पात्र ठरेल.

आज दिनांक १४ माहे ०९ तन ०७ शिक्क्यानिशी दिले.

राजी माझ्या समेने व न्यायालयाच्या



गणेशजी
तहासचिव/अधीक्षक/शिक्क्या
राजी न्यायालय व. रु. १४/०९

सुचना: कोर्टात तुमच्या बाबतची नोटीस देण्यात येत आहे. तुम्हाला या नोटीस असल्यास कोर्टात तुमची उपस्थिती घ्यावी. तुम्हाला नोटीस देण्यात येत आहे की, उपरोक्त दिनांकास हजर राहिल्यास व जो कोणताही दस्तावेज दाखल करण्याबाबत माहितीसाठी तुम्हाला हजेरी करणेची नोटीस देण्यात येत आहे. तुम्हाला हजेरी करणेची नोटीस देण्यात येत आहे. तुम्हाला हजेरी करणेची नोटीस देण्यात येत आहे. तुम्हाला हजेरी करणेची नोटीस देण्यात येत आहे.

(२) सदर दावा तुम्हाला यंत्रित असल्यास, तुमच्यावर जातीने किंवा तुमच्या मातृसत्तेवर किंवा या दस्तऐवज होऊ शकणारी हक्कनाम्याची अमलबजावणी दाखण्याबाबत तुम्ही ही तक्रार याद न्यायालयात भरावी.

Election Petition No. 53/2007.

Smt. Nanda Haresh Gavand,
Age 42 Occ. House wife
Residing at - Premalakshya Niwas,
Penkar Pada, Post - Mira
Tal and Dist. Thane

...Petitioner

V/S.

1. Smt. Anita Jayant Patil
Age - Adult Occ- House wife
Patil Niwas, Penkar pada,
Post Mira. Tal and Dist Thane
2. Smt. Shradha Vijay Patil
Age Adult Occ House wife
Pandurang Patil Chowk, Penkar Pada
Post Mira. Tal and Dist. Thane.
3. Smt. Swapnali Satyaprakash Sawant
Age Adult Occ. House wife
Swapnali Niwas Penkarpada
Tal and Dist. Thane
4. The Returning Officer
For the ward No. 79
Mira Bheyander Municipal corporation
Tal and Dist Thane.

...Respondents.

Petition U/S 16 of the Bombay Provincial
Municipal Corporation Act 1949.

MAY IT PLEASE YOUR HONOUR

The petitioner most respectfully submits as under:

No. 12. from ward No. 77. The petitioner contested from the Shivsena, a political party from ward No. 79 in the Election for the Mira - Bhayander Municipal Corporation, which was held on 12/8/2007. The said Ward was reserved for ladies (OBC). The Respondent

No. 1 has been declared as the returning candidate who had contested from NCP a political party in the said election. That the respondent No. 2 also contested the said election as an MNS candidate. That the Respondent No. 3 was a candidate from Indian National Congress political Party for the election held. *The Respondent was a Returning Officer & responsible for implementing Election Rules, Notification.*

- 2) The petitioner submits that she had complied with all the requisitions at the time of filing of her nomination form accompanied by the annexure's declarations and affidavit and therefore his nomination form was accepted.
- 3) The petitioner adds that the said ward No. 79 was for a Ladies (OBC) reserved category. As per the notification published the intending candidates were required to submit their candidature forms between 18/7/2007 to 25/7/2007 before 15:00 hrs. that the scrutiny of the application forms was to be conducted by the respondent No. 4 on 26/7/2007. That the date for withdrawal of nomination form was on 26/7/2007 to 30/7/2007 and the final eligible candidates names were declared on 31/7/2007.
- 4) The petitioner adds that the election for Mira- Bhayander Municipal Corporation were held on 12/8/2007. The results were declared on 13/8/2007 and the Government Gazette was published on 16/08/2007 by the Commissioner of Mira Bhayander in which the names of elected Corporators are mentioned. It is submitted that the respondent No. 1 has been shown as elected from ward No.79. The Respondent No. 1 out of 2523 total voters, secured 1450 votes and the petitioner secured 695 the respondent No. 2 secured 275 votes. The respondent No.3 secured 103 votes
- 5) The petitioner adds that the respondent No. 1 who had filed her nomination as a candidate for NCP (Rashtravadi Congress) had submitted her nomination form supported by various documents which are mandatory required. It is submitted that there were so many important facts which were not disclosed. More specifically the Caste Certificate. It is submitted that she has attached a Caste certificate issued by the Tahasildar UATRAULA which is from the State of Uttar Pradesh in which her Caste disclosed or mentioned is LONIA No Caste Certificate has been produced from the state of

filing the nomination must file affidavit/s declaring all the factual position on oath in order to preserve the sanctity of the democracy. In the instant the very object has been frustrated. The orders passed by the Hon'ble Apex Court are violated. The provisions/principles as laid down under the Act, Election Rules, Notifications/orders passed by the election commission from time to time are all violated and therefore the elections results declared on 12/8/2007 and on 16/8/2007 through the government gazette in favour of the respondent No. 1 are void and/or illegal and needs to be set aside in the interest of justice.

9) It is further submitted that moreover in the instant case considering the fact of the Ward No 79 being reserved for OBC Ladies Ward is frustrated as the said Respondent No. 1 does not belong to the said Caste and therefore the representation to the said Ward cannot be made in the Corporation which further amounts to playing fraud on the Voters. All the Voters are being misrepresented by her and has thus materially affected the Voting/election process itself.

10) The cause of action for filing of this petition firstly arose on 25/7/2007 when the respondent No. 1 filed her false Nomination Form. Thereafter it again arose on the date of scrutiny on 26/7/07 when it was improper, incorrect and illegal. There after it again arose on 31/7/2007 when the eligible candidates list was declared and finally it arose on 16/8/2007 when the notification was published by the Commissioner of Mira Bhayander Municipal Corporation declaring the Respondent No. 1 as elected Candidate.

11) That the election results were declared on 16/8/2007 when the notification was published by the Commissioner of Mira Bhayander Municipal Corporation and therefore under the Act this petition is filed within limitation i.e. 10 days from the date of publication.

12) That the elections which were held were for the Mira- Bhayander Municipal Corporation and therefore this Hon'ble Court has the jurisdiction to try, entertain and dispose of this matter.

13) The petitioner therefore prays that:


- a. It be declared and decreed that the Respondent No. 1 did not comply with the mandatory requirements at the time of filing of Nomination forms as per the directions/ notification/ orders issued by the Hon'ble Apex Court, Election Commission.


Maharashtra or for that matter to counter support it from the local school from where she took her education. It is submitted that the school authorities i.e. School No. 20 Mire Gaon Marathi Medium run by the Mira Bhayander Municipal Corporation mentions her Caste as HINDU RAJPUT. The returning officer i.e. Resp. No. 4 did not bother to go through the verification of her Caste by asking Suo-Moto the additional supporting documents pertaining to the caste Certificate and straight away allowed her Nomination form on the Scrutiny day i.e. on 25/7/2007 and thus committed a gross mistake rather illegality. The Nomination form was incomplete. There was suppression of facts. Moreover the affidavit suffers from falsity due to such and other factors, it can be safely concluded that the scrutiny which was done by the respondent No. 4 was superficial, incorrect or improper and therefore illegal as it was not as per the mandatory requirement. The nomination ought to have been rejected at the scrutiny stage itself.

- 6) The petitioner adds that under the state Election Commission order dated 3/7/2002. The nomination form mandatory requirements are clearly mentioned. It categorically states that non furnishing of affidavits, furnishing of any wrong or incomplete information or suppression of any material information may result into rejection of nomination paper. Similarly there is another notification dated 15/3/2006 issued by the state Election Commission which has categorically prescribed the format of affidavit. There is a clear violation on the part of the Respondent No. 1 as stated above and therefore the election results in favour of the returning/winning candidate is void and needs to be set aside.
- 7) The petitioner adds that the filing of the affidavit without proper and necessary actual facts amounts to a serious defect. The very purpose of filing an affidavit is frustrated if it is not filed without verifying the contents on oath. It is therefore a substantive and incurable defect and the same cannot be described as merely of technical error or irregularity which can be regularised afterwards.
- 8) The petitioner adds that in view of the facts and circumstances as stated above the results of the election which were held on 13/8/2007 have materially affected due to the improper reception and/or illegal acceptance of the nomination. The respondent no. 1 has committed a fraud. She has not disclosed the true and material facts which were very much within her personal knowledge. By suppressing and stating false information in her affidavit/ declaration she has committed a serious offence. It is to be noted that the apex court only after finding it necessary has passed an order that the candidates while contesting the elections they should at the time of

- b. It be further declared that the Respondent No. 4 committed mistake and passed illegal orders by approving the Nomination Form filed by Respondent No. 1
- c. It be declared that though the Respondent No. 1 does not belong to the said OBC category still her nomination was wrongly and illegally accepted by the Respondent No. 4
- d. It be further declared and decreed that due to the improper and illegal acceptance of nomination form of Respondent No. 1 the election result has been materially affected and therefore it is void and needs to be set aside.
- e. The Hon'ble Court be pleased to further declare Petitioner as returning/ winning candidate as she has secured Second highest votes in the election dated 13/8/2007 from ward No.79.
- f. The Hon'ble Court be pleased to disqualify the Respondent No. 1 for becoming a Councillor of any Local Authority for a period of six years.
- g. Pending the hearing and final disposal of this petition the Hon'ble Court be pleased to pass such Ad-Interim/ Interim orders thereby restraining the Respondent No. 1 from acting as Corporator/councillor or taking part as Councillor in the Proceedings/ Meetings of the Municipal Corporation and to exercise his right to vote as Councillor.
- h. Any other order in the interest of justice be passed in favour of the petitioner

Filed in court
On 24/8/2007


Petitioners

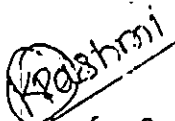
Adv. for 
Petitioner.

Verification

I Smt. Nanda Hanesh Gawand, Age 42. - residing at the address mentioned in the title and the petitioner herein do hereby state on solemn affirmation

knowledge, belief and information.

Solemnly affirmed at Thane.

K. K. Koshi

Advocate for Petitioner.

Filed in Court
On 24/8/ 2007


Petitioner.



मिरा भाईंदर महानगरपालिका

मुख्य कार्यालय भाईंदर

छत्रपती शिवाजी महाराज मार्ग, भाईंदर (पश्चिम) ता.जि. ठाणे ४०९ ९०९

नगरसचिव विभाग

जा.क्र. मनपा/सचिव/२५०/२००७-०८

दिनांक :- ५/१०/२००७.

प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईंदर महानगरपालिका।

विषय :- दावा क्र. इलेक्शन पिटीशन ५५/२००७
श्री. शफीक अहमद मो. रफीक शहा
विरुद्ध
मिरा भाईंदर महानगरपालिका

संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/१५७९/२००७-०८
दि. ४/१०/२००७ चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईंदर महानगरपालिका सार्वत्रिक निवडणूक २००७ च्या वॉर्ड क्र. ७३ मधून निवडून आलेले उमेदवार श्री. हरिशचंद्र जगन्नाथ म्हात्रे यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.

Sumbir
५/१०/०७
लिपिक
विधीकामकाज विभाग
मिरा-भाईंदर महानगरपालिका

[Signature]
नगरसचिव
मिरा भाईंदर महानगरपालिका

प्रति,
मा. नगरसचिव,
सचिव विभाग
मिरा भाईंदर महानगरपालिका

नगरसचिव विभाग	
स.प./न.प./ज.प./आ.प. विनांक :- ४१९०/२००७	२५०

५२

विषय :- दावा क्र. इलेक्शन पिटीशन (५५/२००७)
श्री. शफीक अहमद मो.रफीक शहा
विरुद्ध
मिरा भाईंदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यक ती माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील याचिकेदार यांनी वरील याचीका मा. न्यायालय, ठाणे येथे दाखल करुन सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेतील परिच्छेद क्र. ५ नुसार याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईंदर महानगरपालिकेच्या सार्वत्रिक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आल्या होत्या. त्यानुसार वॉर्ड क्र. ७३ मधून प्रतिवादी क्र. १ नावे श्री. हरीशचंद्र जगन्नाथ म्हात्रे यांनी निवडणूक लढविली होती. परंतु सदर प्रतिवादी क्र.१ यांनी त्यांचे नामांकनाचा अर्ज दाखल करताना अर्जासोबत जोडलेली माहिती चुकीची व अपूर्ण होती. तसेच सदर अर्ज प्रतिवादी क्र.४ यांनी चुकीने व अनधिकृतपणे स्विकृत केली आहे.

तरी सदर दाव्याची आवश्यक ती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

Deenodde

विधी अधिकारी
विधी विभाग
मिरा भाईंदर महानगरपालिका

सोबत:- दाव्याची प्रत

Shri. Shafiqueahmed Mohammed Rafique Shah,
Age -40, Occ. Business,
Residing at-
A/202, Ganesh Charan CHS Ltd.,
B.P. Cross Road,
Near Ambe Mata Temple,
Kashigaon, Bhayander(E)
Thane - 401105.

...Petitioner

V/S.

- 1) Shri Harishchandra Jagannath Mhatre,
Age - 37, Occ. Business,
Residing at-
Shree Krishna Hariniwas,
Kashigaon, Post Mira,
Taluka and Dist. Thane.
- 2) Shri Vilas Narsingh Raut,
Age - Adult, Oc. Business,
Residing at -
Ekvira Banglow,
Narayan Compound,
Kashigaon, Post Mira,
Taluka and Dist. Thane.
- 3) Smt. Sarita Bhaskar Raut,
Age - Adult, Occ. - Unknown,
Residing at -
Radha Niwas,
Near Post Office, Miragaon,
Taluka and Dist. Thane.
- 4) Shri. J. B. Valvi,
The Returning Officer,
Mira-Bhayander Municipal Corporation,
Taluka and Dist. Thane.

...Respondents.

MAY IT PLEASE YOUR HONOUR

The petitioner most respectfully submits as under:

- 1) That he is a permanent resident at the address shown in the title and that his name is shown in the Electoral Roll at Serial No. 1894 at Page No. 46 from ward No. 42. The petitioner contested from the People's Republican Party, a political party from ward No. 73 in the Election for the Mira - Bhayander Municipal Corporation, which was held on 12/8/2007. The Respondent No. 1 has been declared as the returning candidate who had contested from Indian National Congress (Congress-I) a political party in the said election. That the respondent No. 2 also contested the said election as an ShivSena candidate. That the Respondent No. 3 was a candidate from Samajwadi political Party for the election held. That the Respondent No. 4 was Returning Officer Shri. J. B. Valvi under whose supervision and control the nomination forms were scrutinised and the entire elections was conducted.
- 2) The petitioner submits that he had complied with all the requisitions at the time of filing of his nomination form accompanied by the annexure's declarations and affidavit and therefore his nomination form was accepted.
- 3) The petitioner adds that the said ward No. 73 was for a reserved category for OBC Category. As per the notification published the intending candidates were required to submit their candidature forms between 18/7/2007 to 25/7/2007 before 15:00 hrs. That the scrutiny of the application forms was to be conducted by the returning officer on 26/7/2007. That the dates for withdrawal of nomination form were on and from 27/7/2007 to 30/7/2007 and the final eligible candidates names were declared on 31/7/2007.
- 4) The petitioner adds that the election for Mira- Bhayander Municipal Corporation was held on 12/8/2007. The results were declared on 13/8/2007 and the Government Gazette was published on 16/08/2007 by the collector of Thane in which the names of elected Corporators are mentioned. It is submitted that the respondent No. 1 has been shown as elected from ward No. 73. The Respondent No. 1 out of 1980 total voters, secured 1045 votes and the petitioner secured 652 votes

therefore the election results in favour of the returning/winning candidate is void and needs to be set aside.

- 8) The petitioner adds that he has some of the documentary evidences which are filed along with a separate list filed along with this petition to prove his case however the petitioner seeks leave to file such additional documents as and when are available before the hearing. It is submitted that the respondent No. 1 in his declaration has stated that there are no dues pending to Mira-Bhayander Municipal Corporation against his name. In this respect the petitioner shall prove that the Respondent No. 1 has not paid his property tax and that the arrears were there. It is to be noted that at the same time the Respondent no. 1 had not obtained any certificate stating that he does not owe any amount to the Mira-Bhayander Municipal Corporation. Similarly the Respondent No. 1 did not attach any certificate from the Local Police Station declaring that no Criminal Cases are pending against him.
- 9) The petitioner adds that even as far as the caste certificate attached appears to be suspicious, being vague there are two different terminologies used in the documents pertaining to caste declaration.
- 10) The petitioner adds that there are other properties which in fact are in the name of the Respondent No. 1 but the same are being suppressed. The said properties are as follows:
 - a. Motor Vehicle No. MH04 BG 2696, Heavy Goods Vehicle.
 - b. Motor Vehicle No. MH04 BG 2698, Heavy Goods Vehicle.
 - c. Motor Vehicle No. MH04 B 8988, JCB, Escort Make.
- 11) The petitioner adds that in view of the facts and circumstances as stated above the results of the election which were held on 12/8/2007 have materially affected due to the improper reception and/or illegal acceptance of the nomination. The respondent no. 1 has committed a fraud. He has not disclosed all the true and material facts in respect of several properties which were very much within his personal knowledge. By suppressing and stating false information in his affidavit/ declaration he has committed a serious offence. It is to be noted that the apex court only after finding it necessary has passed an order that the candidates while contesting the elections they should at the time of filing the nomination must file affidavit/s declaring all the factual position on oath in order to preserve the sanctity of the democracy. In the instant the very object has been frustrated. The orders passed by the Hon'ble Apex Court are violated. The provisions/ principles as laid down under the Act, Election Rules,

- 5) The petitioner adds that the respondent No. 1 who had filed his nomination as a candidate for Indian National Congress (Congress-I) and had submitted his nomination form supported by various documents which are mandatory required. It is submitted that there were so many important facts which were not disclosed. The form was incomplete. There was suppression of facts in respect of several properties both movable in terms of the Actual Number of trucks, dumpers and JCB and also the immovable properties the evidence shall be filed at the appropriate stage and as regards the children particulars and the same shall be proved at the appropriate stage. The respondent No. 1 it is learnt that he was in arrears in so far as the property tax payable to the Mira-Bhayander Municipal Corporation. The Respondent No. 1 have also suppressed the true and actual loan/liability, the ancestral property share etc. there are also suppression of a litigation/case both Civil and Criminal pending against him. There is also a claim pending from the office of the Income Tax/sales tax. The affidavit is also not duly verified i.e. there is signature below the verification clause of the affidavit. But the same has not been countersigned by the returning officer. Moreover the affidavit suffers from falsity due to such and other factors, it can be safely concluded that the scrutiny which was done by the returning officer was superficial, incorrect or improper and therefore illegal as it was not as per the mandatory requirement. The nomination ought to have been rejected at the scrutiny stage itself.
- 6) The Petitioner here also would like to add that the respondent No. 1 has also given several addresses while registering the vehicles/trucks. This apparently was to avoid or escape the Octroi of the Corporation. It is submitted that registering the several vehicles at different places is allowed only if the said place belongs to him and if it is so then why the said different places/addresses were suppressed. If in the event the Respondent No. 1 does not have any relation towards the said premises/addresses then the only inference could be drawn is he has misled and played a fraud on the government to escape the Octroi Liability.
- 7) The petitioner adds that under the state Election Commission order dated 3/7/2002. The nomination form mandatory requirements are clearly mentioned. It categorically states that non furnishing of affidavits, furnishing of any wrong or incomplete information or suppression of any material information may result into rejection of nomination paper. Similarly there is another notification dated 15/3/2006 issued by the state Election Commission which has

a period of six years.

- f. Pending the hearing and final disposal of this petition the Hon'ble Court be pleased to pass such Ad-Interim/ Interim orders thereby restraining the Respondent No. 1 from acting as Corporator/Councillor or taking part as Councillor in the Proceedings/ Meetings of the Municipal Corporation and to exercise his right to vote as Councillor.
- g. Any other order in the interest of justice be passed in favour of the petitioner

s/1
Petitioner.

Verification

I Shri. Shafiqueahmed Mohammed Rafique Shah, Age - 40 residing at the address mentioned in the title and the petitioner herein do hereby state on solemn affirmation that whatever stated herein above is true and correct to the best of my knowledge, belief and information.

Solemnly affirmed at Thane.

s/1
Petitioner.

Advocate for Petitioner.

Filed in Court

On 22/8/07

set aside in the interest of justice.

- 12) The cause of action for filing of this petition firstly arose on 26/7/2007 when the scrutiny was improper and incorrect. There after it again arose on 31/7/2007 when the eligible candidates list was declared and finally it arose on 16/8/2007 when the notification was published by the collector of Thane declaring the Respondent No. 1 as elected Candidate.
- 13) That the election results were declared on 16/8/2007 when the notification was published by the Collector of Thane and therefore under the Act this petition is filed within limitation i.e. 10 days from the date of publication.
- 14) That the elections which were held were for the Mira- Bhayander Municipal Corporation and therefore this Hon'ble Court has the jurisdiction to try, entertain and dispose of this matter.

14A) The court fee stamp of Rs. 500/- Affixed.

- 15) The petitioner therefore prays that:
 - a. It be declared and decreed that the Respondent No. 1 did not comply with all the mandatory requirements at the time of filing of Nomination forms as per the directions/ notification/ orders issued by the Hon'ble Apex Court, Election Commission.
 - b. It be further declared that the Respondent No. 4 committed mistake and passed illegal orders by approving the Nomination Form filed by Respondent No. 1
 - c. It be further declared and decreed that due to the improper and illegal acceptance of nomination form of Respondent No. 1 the election result has been materially affected and therefore it is void and needs to be set aside.
 - d. The Hon'ble Court be pleased to further declare Petitioner as returning/ winning candidate as he has secured Second highest votes in the election dated 12/8/2007 from ward No. 73.



मुख्य कार्यालय भाईदर
छत्रपती शिवाजी महाराज मार्ग, भाईदर (पश्चिम) ता.जि. ठाणे ४०१ १०१

नगरसचिव विभाग

जा.क्र. मनपा/सचिव/२०८/२००७-०८

दिनांक :- २६/९/२००७

प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईदर महानगरपालिका

विषय :- दावा क्र. इलेक्शन पिटीशन ४९/२००७
श्रीम. रश्मी जयंत पाटील
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/१४५६/२००७-०८
दि. १८/०९/२००७ चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईदर महानगरपालिका सार्वत्रिक निवडणूक २००७ च्या वॉर्ड क्र. ६ मधून निवडून आलेल्या उमेदवार श्रीम. उमाताई शाम पाटील यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.

नगरसचिव (व्यक्ति)

मिरा भाईदर महानगरपालिका

लिपिक

विधीकामकाज विभाग

मिरा-भाईदर महानगरपालिका

प्रति,
मा. नगरसचिव,
सचिव विभाग,
मिरा भाईंदर महानगरपालिका

नगरसचिव विभाग	
स.प./म.प./ज.प./आ.क	
दिनांक :- १४/१०/२००७	२०८

विषय :- दावा क्र. इलेक्शन पिटीशन ४९/२००७

श्रीम. रश्मी जयंत पाटील

विरुद्ध

मिरा भाईंदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यक माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील वादी यांनी वरील याचिका मा. जिल्हा न्यायालय, ठाणे येथे दाखल करून सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेत याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईंदर महानगरपालिकेच्या सार्वत्रिक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आलेल्या निवडणूकीस वॉड क्र. ४ मधून निवडून आलेले उमेदवार (प्रतिवादी क्र. १) नावे श्रीमती. उमाताई श्याम पाटील, यांची निवड रद्द करण्यात यावी. तसेच प्रतिवादी क्र. १ यास नगरसेवक म्हणून काम करण्याचा किंवा महानगरपालिकेच्या कार्यकारी सभेत उमेदवार म्हणून मतदान करण्यास मनाई आदेश मा. न्यायालयाने द्यावेत, असे आहे.

तरी सदर दाव्याची आवश्यक ती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

for. B. D. D. D. D.

विधी अधिकारी

विधी विभाग

मिरा भाईंदर महानगरपालिका



नगरसचिव विभाग

जा.क्र. मनपा/सचिव/२०९ /२००७-०८

दिनांक :- २६/९/२००७

प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईदर महानगरपालिका

विषय :- दावा क्र. इलेक्शन पिटीशन ४५/२००७
श्री. जोसेफ जॉन गोन्सालवीस
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/१४५७/२००७-०८
दि. १८/०९/२००७ चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईदर महानगरपालिका सार्वत्रिक निवडणूक २००७ च्या वॉर्ड क्र. मधून निवडून आलेले उमेदवार श्री. बरनार्ड अलबर्ट डिमेलो यांनी नामनिर्देशन पत्रासोबत जोडलेले कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.

लिपित
विधीकामकाज विभाग
मिरा-भाईदर महानगरपालिका

नगरसचिव कक्षा
मिरा भाईदर महानगरपालिका

मिरा भाईदर महानगरपालिका
विधी विभाग

जा.क्र.मनपा/विधी/१४५७/०७-०८

दि. १८/०७/०७

नगरसचिव विभाग	
स.प./न.प./ज.प./आ.प.	20e
दिनांक :- १८/०७/२००७	

प्रति,
मा. नगरसचिव,
सचिव विभाग
मिरा भाईदर महानगरपालिका

विषय :- दावा क्र. इलेक्शन पिटीशन ४५/२००७
श्री. जोसेफ जॉन गोन्सालवीस
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यकती माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील वादी यांनी वरील याचिका मा. जिल्हा न्यायालय, ठाणे येथे दाखल करून सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेत याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईदर महानगरपालिकेच्या सार्वत्रीक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आलेल्या निवडणूकीस वॉर्ड क्र. ३० मधून निवडून आलेले उमेदवार (प्रतिवादी क्र. १) नावे श्री. बरनार्ड अलबर्ट डिमेलो यांची निवड रद्द करण्यात यावी. तसेच प्रतिवादी क्र. १ यास नगरसेवक म्हणून काम करण्याचा किंवा महानगरपालिकेच्या कार्यकारी सभेत उमेदवार म्हणून मतदान करण्यास मनाई आदेश मा. न्यायालयाने दयावेत, असे आहे.

तरी सदर दाव्याची आवश्यक ती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

For Beambie

विधी अधिकारी
विधी विभाग
मिरा भाईदर महानगरपालिका



नगरसचिव विभाग

जा.क्र. मनपा/सचिव/२१० /२००७-०८

दिनांक :- २६/९/२००७

प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईदर महानगरपालिका

विषय :- दावा क्र. इलेक्शन पिटीशन ५१/२००७
श्री. हंसुकुमार कमलाकर पांडे
विरुद्ध
मिरा भाईदर महानगरपालिका

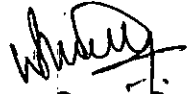
संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/१४५८/२००७-०८
दि. १८/०९/२००७ चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईदर महानगरपालिका सार्वत्रिक निवडणूक २००७ च्या वॉर्ड क्र. मधून निवडून आलेले उमेदवार श्री. गणेश गोपाल शेटी यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांत सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.

Scanned

लिपिक
विधीकामकाज विभाग
मिरा-भाईदर महानगरपालिका


नगरसचिव करीत,
मिरा भाईदर महानगरपालिका

विधी विभाग

जा.क्र. मनपा/विधी/११५८/०७-०८

दि. १८/१२/०७

प्रति,
मा. नगरसचिव,
सचिव विभाग
मिरा भाईंदर महानगरपालिका

नगरसचिव विभाग	
स.प./न.प./ज.प./आ.प.	
दिनांक :- १८/१२/०७	२१०

विषय :- दावा क्र. इलेक्शन पिटीशन ५१/२००७
श्री. हंसुकुमार कमलाकर प्रोडे
विरुद्ध
मिरा भाईंदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यकती माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील वादी यांनी वरील याचिका मा. जिल्हा न्यायालय, ठाणे येथे दाखल करुन सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेत याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईंदर महानगरपालिकेच्या सार्वत्रीक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आलेल्या निवडणूकीस वॉर्ड क्र. ७ मधून निवडून आलेले उमेदवार (प्रतिवादी क्र. १) नावे श्री. गणेश गोपाल श्रीयन यांची निवड अनाधिकृत असुन सदर निवड रद्द करुन सदर वॉर्ड क्रमांकाच्या उमेदवाराची निवड करण्यात यावी किंवा सदर वॉर्ड क्र. ७ मध्ये दाव्यातील प्रतिवादी क्र. ७ यास नव्याने निवडणूक घेण्यात याव्यात, असे आदेश न्यायालयाने दयावेत असे आहे.

तरी सदर दाव्याची आवश्यकती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

for Deambis

विधी अधिकारी
विधी विभाग
मिरा भाईंदर महानगरपालिका



मिरा भाईदर महानगरपालिका

मुख्य कार्यालय भाईदर
छत्रपती शिवाजी महाराज मार्ग, भाईदर (पश्चिम) ता.जि. ठाणे ४०१ १०१
नगरसचिव विभाग

जा.क्र मनपा/सचिव/२११ /२००७-०८

दिनांक :- २६ / ९ / २००७

प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईदर महानगरपालिका

विषय :- दावा क्र. इलेक्शन पिटीशन ५०/२००७
श्री. जैन सुभाष तेजराज
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/१४५९/२००७-०८
दि. १८/०९/२००७ चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईदर महानगरपालिका सार्वत्रिक निवडणूक २००७ च्या वॉर्ड क्र. ६५ मधून निवडून आलेल्या उमेदवार श्री. प्रभू वामन रघूवीर यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.

Beamare
लिपिक
विधीकामकाज विभाग
मिरा-भाईदर महानगरपालिका

[Signature]
नगरसचिव कर्मिणी
मिरा भाईदर महानगरपालिका

मिरा भाईदर महानगरपालिका
विधी विभाग

जा.क्र.मनपा/विधी/ १२५९ /२००७-०८

दि. १८/१०/०७

प्रति,
मा. नगरसचिव,
सचिव विभाग
मिरा भाईदर महानगरपालिका

नगरसचिव विभाग	
स.प./न.प./ज.प./जा.क	२११
दिनांक : १८/१०/०७	

विषय :- दावा क्र. इलेक्शन पिटीशन ५०/२००७
श्री. जैन सुभाष तेजराज
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यक ती माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील वादी यांनी वरील याचीका मा. जिल्हा न्यायालय, ठाणे येथे दाखल करुन सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेत याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईदर महानगरपालिकेच्या सार्वत्रिक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आलेल्या निवडणूकीस वॉर्ड क्र. ६५ मधून निवडून आलेले उमेदवार (प्रतिवादी क्र. ६) नावे श्री. प्रभु वामन रघुवीर यांनी निवडणूकीपूर्वी निवडणूक अधिकार्यांकडे दाखल केलेली माहिती हि चुकीची असुन त्यांची निवड खोटी माहिती पुरविल्या कारणास्तव अपात्र ठरविण्यात यावी, असे आहे.

तरी सदर दाव्याची आवश्यक ती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

for *Sanjeev*
विधी अधिकारी
विधी विभाग
मिरा भाईदर महानगरपालिका

नगरसचिव विभाग

जा.क्र. मनपा/सचिव/२१२/२००७-०८

दिनांक :- २६/९/२००७

प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईंदर महानगरपालिका

विषय :- दावा क्र. इलेक्शन पिटीशन ४९/२००७
श्री. परशुराम पद्माकर म्हात्रे
विरुद्ध
मिरा भाईंदर महानगरपालिका

संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/१४६०/२००७-०८
दि. १८/०९/२००७ चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईंदर महानगरपालिका सार्वत्रिक निवडणूक २००७ च्या वॉर्ड क्र. ७८ मधून निवडून आलेले उमेदवार श्री. मोहन गोपाल म्हात्रे यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.

नगरसचिव
मिरा भाईंदर महानगरपालिका

लिपिक
विधीकामकाज विभाग
मिरा-भाईंदर महानगरपालिका

मिरा भाईदर महानगरपालिका
विधी विभाग

जा.क्र.मनपा/विधी/१४००/०७-०८

दि. १८/१०/०७

प्रति,
मा. नगरसचिव,
सचिव विभाग
मिरा भाईदर महानगरपालिका

नगरसचिव विभाग	
स.प./न.प./ज.प./आ.क्र. विनांक :- १८/१०/०७	२१२

विषय :- दावा क्र. इलेक्शन पिटीशन ४९/२००७
श्रीम. परशुराम पदमाकर म्हात्रे
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यक माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील वादी यांनी वरील याचिका मा. जिल्हा न्यायालय, ठाणे येथे दाखल करून सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर याचिकेत याचिकेदाराचे म्हणणे असे आहे की, मिरा भाईदर महानगरपालिकेच्या सार्वत्रिक निवडणूक दि. १२/०८/२००७ रोजी घेण्यात आलेल्या निवडणूकीस वॉर्ड क्र. ७८ मधून निवडून आलेले उमेदवार (प्रतिवादी क्र. १) नावे श्री. मोहन गोपाल म्हात्रे यांची निवड चुकीची असून सदर निवड रद्द करण्यात यावी. तसेच प्रतिवादी क्र. १ यास नगरसेवक म्हणून काम करण्यास किंवा महानगरपालिकेच्या कार्यकारी सभेत उमेदवार म्हणून मतदान करण्यास मनाई आदेश मा. न्यायालयाने दयावेत, असे आहे.

तरी सदर दाव्याची आवश्यक ती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

for *Samir*
विधी अधिकारी
विधी विभाग
मिरा भाईदर महानगरपालिका



नगरसचिव विभाग

जा.क्र मनपा/सचिव/ 293 /2009-08

दिनांक :- 25/11/2009

प्रति,
मा. विधी अधिकारी,
विधी विभाग,
मिरा भाईदर महानगरपालिका

विषय :- दावा क्र. आर.सी.एस. 880/2009
श्री. राजपूत रमेशचंद्र मथूरादास
विरुद्ध
मिरा भाईदर महानगरपालिका

संदर्भ :- आपल्याकडील जा.क्र. मनपा/विधी/9869/2009-08
दि. 98/09/2009 चे पत्र.

महोदया,

उपरोक्त संदर्भिय पत्रानुसार मिरा भाईदर महानगरपालिका सार्वत्रिक निवडणूक 2009 च्या वॉर्ड क्र. 88 मधील उमेदवार श्री. राजपूत रमेशचंद्र मथूरादास यांनी नामनिर्देशन पत्रासोबत जोडलेल्या कागदपत्रांची सत्यप्रती मा. न्यायालयीन कामकाजाकरिता या पत्रासोबत जोडून पाठवित आहे.

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लिपिक
विधीकामकाज विभाग
मिरा-भाईदर महानगरपालिका

Signature

नगरसचिव करीम
मिरा भाईदर महानगरपालिका

नगरसचिव विभाग	
स.प./न.प./ज.प./आ.क	दिनांक :- १२/११/२००७ २९३

प्रति,
मा. नगरसचिव
सचिव विभाग,
मिरा भाईंदर महानगरपालिका

विषय :- दावा क्र. आर.सी.एस. ४८०/२००७
श्री. राजपूत रमेशचंद्र मथुरादास
विरुद्ध
मिरा भाईंदर महानगरपालिका

संदर्भ :- सदर प्रकरणातील आवश्यक ती माहिती मिळणे संबंधी.

महोदय,

उपरोक्त संदर्भिय विषयान्वये, वरील वादी यांनी वरील दावा मा. जिल्हा न्यायालय, ठाणे येथे दाखल करून सदर प्रकरण न्यायप्रविष्ट केले आहे. तसेच सदर दाव्यात वादीचे म्हणणे असे आहे की, वादीने दि. २५/०७/२००७ रोजी महानगरपालिकेस सादर केलेली माहिती योग्य असून सदर वादी वॉर्ड क्र. ४४ मधून निवडणूक लढविण्यास पात्र आहे. तसेच प्रतिवादी यास वादीस अपात्र ठरविण्यापासून व निवडणूक लढविण्यापासून मनाई हूकुम मा. न्यायालयाने द्यावेत असे आहे.

तरी सदर दाव्याची आवश्यकती संपूर्ण माहिती सदर पत्र मिळाल्यापासून त्वरीत इकडील विभागास देण्यात यावी, हि विनंती.

For - *Samir*

विधी अधिकारी

विधी विभाग

मिरा भाईंदर महानगरपालिका

