

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2859 OF 2015

MUKUND BALVIRSINH THAKUR

PETITIONER

VERSUS

RAMESH BHIKAMCHAND JAIN AND OTHERS

RESPONDENT

Mr.A.S.Bayas, Advocate for the petitioner.

Mr.S.S.Wagh h/f Mr.S.T.Shelke, Advocate for respondent No.3.

Mr.R.B.Dhaware h/f Mr.U.S.Malte, Advocate for respondent Nos. 2 and 10. (VP not filed)

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 12/03/2015

PER COURT :

1. The petitioner makes a serious grievance about the manner in which respondent No.1 is delaying Election Petition No.1/2013. It is further contended that respondent No.1 files frivolous applications on every date of hearing and thereby consumes the precious time of the Court. It is further stated that respondent No.1 intends to delay the proceedings since his tenure as a Corporator of the Municipal Corporation, Jalgaon would be coming to an end some time in 2017.

2. The petitioner, therefore, prays that directions be issued to the learned Court dealing with Election Petition No.1/2013 to decide the proceedings within 8 (eight) weeks.

3. Mr.Dhaware h/f Mr.Malte for respondent Nos. 2 and 10

submits that the grievance of the petitioner is as against respondent No.1. In so far as the Municipal Corporation is concerned, it has always co-operated with the Court in the said proceedings.

4. Mr.Shelke, learned Advocate appearing on behalf of respondent No.3 submits that the Trial Court has itself expedited the proceedings by its order dated 17/10/2013. These observations are found in paragraph No.10 of the order passed by this Court on 03/04/2014 in WP No.8955/2013. Mr.Shelke, therefore, submits that no further directions are required to be issued.

5. The observations of this Court in paragraph No.10 of the order dated 03/04/2014 delivered in WP No.8955/2013 read as under :-

“Since the learned Trial Court has itself ordered the election petition to be expedited, no further directions are required to be issued to the Trial Court except expressing an expectation that the litigating parties will co-operate with the Trial Court and avoid unnecessary adjournments.”

6. It is thus clear that the concerned Court has itself expedited Election Petition No.1/2013. In the light of the same and in the light of paragraph No.10 reproduced above, no further orders are required to be passed in this matter.

7. This petition is, therefore, disposed of.

(RAVINDRA V. GHUGE, J.)