

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.804 OF 2015
IN
WRIT PETITION NO.2491 OF 2015**

Mr. Mohan Dashrah Bhosale & Ors.	..Applicants
Vs.	
Ramchandra Sahebrao Balwand & Ors.	..Respondents

Mr. Milind Deshmukh for the Applicants
Mr. A. P. Kulkarni i/b Mr. Manoj Badgujar of the Respondent Nos.1 to 5
(original Petitioners)
Mr. Umesh Mankapure for the Respondent No.6
Mr. S.D.Rayrikar AGP for the Respondent No.7

CORAM : R. M. SAVANT, J.
DATE : 25th MARCH, 2015

P.C.

1 The above Civil Application has been filed principally for the relief that the Respondent No.7 i.e. District Election Officer be directed to keep the votes of the defaulter members of the Chhatrapati Sahakari Sakhar Kharkhana separately. The Applicants are the Respondent Nos.3 to 6 to the above Writ Petition. The above Writ Petition was heard on 11-3-2015 by a Learned Single Judge of this Court Anoop V. Mohta, J. who admitted the Petition and granted interim reliefs in terms of prayer clauses (c) and (d), as a consequence of which, the names of the alleged defaulter members were directed to be included in the final voters list. The said order has been passed after hearing all the parties including the Applicants i.e. the Respondent Nos.3 to 6.

2 During the hearing of the above Civil Application it was pointed out to this Court that the prayer made in the above Civil Application was also sought in the Writ Petition but the said prayer having been refused, it is now not open for the Applicants i.e. the Respondent Nos.3 to 6 to again seek the same prayer. The order dated 11-3-2015 passed in the above Writ Petition was challenged by the Applicants before the Apex Court and as per the averments made in paragraph 8 of the Civil Application, the Apex Court refused to interfere with the said order. In the light of the aforesaid facts, it is not possible to entertain the above Civil Application for the relief sought, the same is accordingly rejected.

[R.M.SAVANT, J]