

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6745 OF 2015

Ansari Dilshad Azmi Aslam ... Petitioner
vs.
Ansari Sana Masood & Ors. ... Respondents
.....
Mr. N.P. Dalvi a/w Mr. R.K. Mendadkar for the petitioner.
Ms. Anjali Awasti for Respondent no.1.
.....

CORAM : M.S. SONAK, J.
DATE : 9th SEPTEMBER, 2015.

P.C.:

1. Rather than, entering into the merits and demerits of the orders impugned in this petition, the parties have, without prejudice to their position on the merits of the matter, handed in the following issues:

Issue No.1:-

Whether the Petitioner proves that Respondent No.1 had filed her nomination falsely claiming her name as “Ansari Dilshad Azmi Aslam wife of Ansari Ashraf Azmi” age-50 years?

Issue No.1A:-

Whether the Petitioner proves that Respondent No.1 by using her name as “Ansari Dilshad Azmi Aslam wife of Ansari Ashraf Azmi” age-50 years had impersonated?

2. Accordingly, the trial Court is directed to rephrase issue

no.1 as aforesaid and also to frame issue no. 1A as aforesaid.

3. There is no necessity to re-examine any parties, particularly because the parties have led their evidence on the basis of issues earlier framed and to my mind at least there was no material or substantial difference between the issues earlier framed and the issues now being framed.

4. The trial court to frame issues as aforesaid accordingly and to proceed to dispose of the Election Petition as expeditiously as possible and in any case within a period of 6 weeks from today. This is because it is reported that the matter is now only fixed for final arguments.

5. All concerned to act on the basis of authenticated copy of this order.

6. The parties to appear before the trial Court on 16/09/2015 and produce authenticated copy of this order.

7. Petition is disposed of in the aforesaid terms.

(M.S. SONAK, J.)

CERTIFICATE

“I certify that this Order uploaded is a true
and correct copy of original signed Order.”