

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NOS. 8840, 8841,8842, 8843,
8846, 8847,8848,8858,8859 & 8863 OF 2015

WITH

CIVIL APPLICATION (ST) NOS. 24343, 24346, 24348, 24358,
24360, 24364, 24356, 24352, 24362 OF 2015

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

In WP 8847, 8848 and 8863 of 2015

Mr. Amit Kumar D. Sale for the Petitioners.

Ms M.S. Bane, AGP-B Panel Counsel for Respondent Nos.2
and 3.

Mr. Umesh Mankapure for Applicants-Interveners.

**In WP 8840, 8841, 8842, 8843, 8846, 8858 & 8859 of
2015.**

Mr. Ajit J. Kenjale for the Petitioners.

Ms M.S. Bane, AGP-B Panel Counsel for Respondent Nos.2
and 3.

Mr. Umesh Mankapure for Applicants-Interveners.

CORAM : M. S. SONAK, J.

DATE : 02 SEPTEMBER 2015.

P.C. :-

1] Not on board. Upon production taken, on board.

2] Leave is granted in all these petitions to implead
the State Election Commission as respondent No.4.
Amendment to be carried out within a period of one week
from today and thereafter, notice to be served upon the
newly impleaded respondent No.4.

3] Ms Bane, learned AGP (B-Panel Counsel) wavier notice on behalf of respondent Nos.2 and 3.

4] Issue notice to respondent No.1, returnable on 5 October 2015. The notice to indicate that the petitions will be heard and disposed of finally at the stage of admission.

5] By the impugned order dated 25 August 2015, the petitioners have been disqualified as Councilors of Jath Nagar Panchayat on the ground that they have submitted the account of election expenses beyond the prescribed period of thirty days. The learned counsel for the petitioners state that delay in this case was only marginal, i.e., between one to three days and further, sufficient cause was shown in respect of such marginal delay. The learned counsel for the petitioners pointed out that throughout pendency of proceedings before the appellate authority, there was a stay on disqualification of the petitioners.

6] In the aforesaid circumstances, there shall be ad-interim relief in terms of prayer clause (b) to these petitions.

7] Mr. Mankapure, learned counsel for the applicants-intervener, states that he has filed Intervention Applications on behalf of the two applicants. It was on the basis of complaint of one of the applicants that the impugned disqualification orders to be made. Further, the applicants had also instituted petition in this Court earlier seeking for vacating of the interim relief granted by the

appellate authority. Considering these circumstances, the Intervention Applications, though not on board are taken on board and the intervention is permitted. The petitioners to carry out necessary amendment within a period of one week from today. Accordingly, Civil Application (St.) Nos. 24343, 24346, 24348, 24358, 24360, 24364, 24356, 24352, 24362 of 2015 are disposed of.

8] Mr. Mankapure waives notice on behalf of the Interveners.

9] Parties to complete pleadings latest by 1 October 2015.

(M. S. SONAK, J.)

CERTIFICATE

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

Uploaded by : Dinesh S. Sherla
Personal Assistant to the
Hon'ble Mr. Justice M.S. Sonak
Uploaded on : 03/09/2015