

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.1526 OF 2016

Umesh Devrao Pawale,
Age 40 years, Occu. Agriculture,
R/o Bapu Niwas, Pandurang Nagar,
Nanded

..Petitioner

Versus

1. Pralhad Shankarrao Ade,
Age 46 years, Occu. Business
R/o Brayamsingh Nagar,
Near M.G.M. College,
Nanded
2. Bapurao Nagorao Gajbhare,
Age 48 years, Occu. Business,
R/o Krishnai Niwas, Hingoli Gate,
Nanded
3. The Returning Officer,
Nanded Waghala Municipal
City Corporation, Nanded
4. The Commissioner,
Nanded Waghala Municipal
City Corporation, Nanded
5. Ankush Chandrakant Dhawale,
Age major, Occu. Business,
R/o Malja, Ward No.3, Sangvi,
District Nanded
6. Narendra Babarao Gaikwad,
Age major, Occu. Business
R/o House No.16-385, ND-42,
HUDCO, Nanded
7. Piraji Wamanrao Kadam,
Age major, Occu. Business,
R/o House No.1-14-116,
Gurunagar, Nanded
8. Mukinda Ganpat Kandhare,
Age major, Occu. Business,
R/o Sangvi, Taluka and
District Nanded
9. Manoj Hari More,
Age major, Occu. Business,

R/o Airport road, Pandurang
Nagar, Nanded

10. Sukhdeo Sheshrao Parde,
Age major, Occu. Business,
R/o Meheboon Nagar,
Maharana Pratap Chowk,
Hingoli Gate, Nanded
11. Bharat Digambarrao Sarode,
Age major, Occu. Business,
R/o Bajrang Colony,
Airport road, Nanded
12. Ranjeet Sahebrao Suryawanshi,
Age major, Occu. Business,
R/o Vishwanath Nagar,
Hanuman Gadh, Nanded
13. Keshav Govindrao Thorat,
Age major, Occu. Business,
R/o Shivneri Nagar, Nanded
14. Sheshrao Shankar Thorat,
Age major, Occu. Business,
R/o Amba Nagar, Sangvi,
Taluka and District Nanded

..Respondents

Mr Satyajit Bora, Advocate for petitioner
Mr H.V. Patil, Advocate for respondent No.1
Mr U.B. Bilolikar, Advocate for respondent No.2
Mr S.P. Urgunde, Advocate for respondent No.4

CORAM : T.V. NALAWADE, J.
DATE : 24th August 2016

PER COURT

1. The petition is filed challenging the order dated 7.1.2016 passed by learned Principal District Judge, Nanded on Exh.1 in Original Misc. Civil Application No.162 of 2015. Heard learned Counsel for petitioner, Mr Patil, learned Counsel for respondent No.1, Mr Bilolikar, learned Counsel for respondent No.2 and learned Counsel for respondent - Corporation.

2. Now, say is given by the party of Mr Patil. No objection is given for hearing the two matters together.

3. The submissions and contents of Election Petitions show that both the Election Petitions are filed against the present petitioner to challenge his election on the ground that on the relevant date, he, elected candidate was having more than three issues and so, he was not entitled to contest the election. It appears that in both the matters the parties have given their evidence and now, they have to argue the matters finally.

4. In view of this both the petitions need to be heard by one Court though the evidence is recorded by both the Courts separately. Matters can be decided simultaneously by considering the evidence given separately.

5. As such, petition is allowed. The order passed by the learned Principal District Judge, Nanded dated 7.1.2016 below Exh.1 in Original Misc. Civil Application No.162/2015 is hereby set aside. The election petitions are brought in one Court which is presided over by the Judge, who is senior between two learned Judges. The Judge, who is to decide the matters is to see that the matters are expeditiously dealt with and the matters are decided within fifteen days.

6. Parties to appear before the Court on 29th August 2016.

7. Authenticated copy of this order be provided to both the sides.

(T.V. NALAWADE, J.)

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