

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

**WRIT PETITION NO. 11109 OF 2016
WITH
WRIT PETITION NO. 11110 OF 2016**

**RUKHMANI SUBHASH PAWAR
VERSUS
RANJANA RAJENDRA JADHAV AND OTHERS**

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Advocate for the Petitioner : Shri R. J. Nirmal
Advocate for Respondent Nos. 1 and 6 : Shri P. P. More
Advocate for Respondent No.2 : Shri S. T. Shelke
AGP for Respondent No.3 : Shri K. S. Patil
Advocate for Respondent Nos. 9 and 13 : Shri B. A. Shinde.

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 03rd OCTOBER, 2018.

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PER COURT :

1. The learned Advocate Shri More for respondent Nos. 1 and 6 namely Ranjana and Laxmibai in the first petition, who are respondent Nos. 1 and 5 in the second petition, submits that one of these respondents, Laxmibai is present in the Court and she instructs the learned Advocate by communication dated 03/10/2018 that the challenge of these two respondents, who were the only objectors to the acceptance of nomination of Rukhmini, is being withdrawn and they do not intend to oppose both these petitions. The communication is

taken on record and marked as 'X' for identification.

2. The learned Advocate for the petitioner, therefore, submits that, in the light of the above, this petition will have to be allowed and as the objections raised by Ranjana and Laxmibai are the basis of the impugned judgments of the District Court dated 09/11/2016 in Election Application Nos. 16/2016 and 13/2016, they will have to be set aside.

3. Shri More, learned Advocate has once again taken instructions from his client represented through Laxmibai present in the Court as to whether, they would consent for allowing of this petition and submits that he is instructed to say that both these petitions can be allowed.

4. Considering the above, both these petitions are allowed in terms of prayer Clause B which reads as under :-

'B] The order dated 09.11.2016 passed by the learned District Judge, Jalna in Election Appeal Nos.16/2016 and 13/2016 may kindly be quashed and set aside and consequently it may be directed to respondent No. 2 to accept the nomination form of the petitioner.'

(RAVINDRA V. GHUGE, J.)

shp/-