

Sherla

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 6244 OF 2018

Sunanda Raghunath Shelar ... Petitioner
Vs.
Anita Suryakant Gavali & Ors. ... Respondents

Mr. N.V. Khaladkar, Advocate for the petitioner.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **12th June, 2018.**

P.C.:

This Writ Petition is directed against the order dated 17.4.2018 passed by the learned District Judge 7, Pune, in Election Petition No.14 of 2017 in which the present petitioner is the respondent. He has moved application below exhibit 29 in Election Petition No.14 of 2017 and has prayed that other Election Petition No.13 of 2017 which is also filed against him, are to be clubbed. The learned District Judge 7, Pune, has passed the order on Election Petition No.13 of 2017 is already withdrawn and, therefore, the application has become infructuous and rejected the said application. The learned Counsel has produced a photocopy of the Roznama dated 17.4.2018 which does not show that Election Petition No.13 of 2017 was allowed to be withdrawn. The learned Counsel submits that today, the status of the Election Petition No.13 of 2017 is shown to

be now adjourned to 20.6.2018. The learned Counsel is, therefore, directed to give the printout of the said status.

2. The petitioner to point out this position before the learned District Judge and the learned District Judge after verifying whether the Election Petition No.13 of 2017 was allowed to be really withdrawn or not, shall accordingly pass order. If it is already withdrawn, he shall fix a date on which it is allowed to be withdrawn and if it is not withdrawn, the learned District Judge shall pass the order accordingly after calling both the parties.

3. This issue is to be looked into by the learned District Judge and see to it that such matters should not come up before the High Court. With this, nothing further remains in this Petition and is disposed of accordingly.

(MRIDULA BHATKAR, J.)