

**IN THE HIGH COURT OF JUDICATURE AT
BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 5003 OF 2019**

Vijayrao Hanumantrao More .. Petitioner

Vs.

The Election Commission of India
and others .. Respondents

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Mr. Shriram Kulkarni i/b Devidas Jadhav Advocate for
Petitioner

Mr. Pradeep RajGopal a/w Ms. Dhrushti Shah for Respondent
No.1 – Election Commission

Mr. Rishin Mantri i/b S.B. Shetye for Respondent No.2

Ms. Nisha Mehra AGP for Respondent Nos. 4 and 5

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**CORAM : PRADEEP NANDRAJOG, C.J. &
N.M. JAMDAR, J.**

DATED : APRIL 16, 2019

P.C.:

1. Learned counsel for the petitioner states that on account of the fact that polling is scheduled for 23 April 2019 in the 43 Madha Lok Sabha Constituency. First prayer i.e. 17(a)(i) in the writ petition is not pressed.

2. Counsel presses prayer clause 17(a)(ii) and refers to the pleadings in the writ petition as also the representation dated 9 April 2019 made to the Election Commission of India alleging bias and misuse of power by the Returning Officer who is impleaded as respondent no.3 in the writ petition.

3. Counsel for Election Commission states that the Election Commission shall look into the representation dated 9 April 2019 and pass a reasoned order thereon. The reasoned order would be communicated to the petitioner. Since the Election Commission has agreed to suo motu comply with the first part of the prayer (ii), binding the Commission to the stand taken by the counsel, we dispose of the petition.

N.M.JAMDAR, J.

CHIEF JUSTICE