

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION [STAMP] NO.27258 OF 2019

Kumar Uttamchand Ailani & Anr.

.... Petitioners

Vs.

Jyoti Suresh alias Pappu Budharmal
Kalani & Others

.... Respondents

Mr. M.J. Nedumpara with Mr. Amritpalsingh,
Mr. Raja & Mr. Ajit Shedge for the Petitioners.
Mr. N.R. Bubna for Respondent No.1.
Ms Minal Chandnani for Respondent No.3.
Mr. B.V. Samant, AGP, for Respondent Nos.4,
7 & 8.

CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.

DATE : OCTOBER 11, 2019

P.C:

1. Having heard Mr. Nedumpara, appearing for the petitioners, at some length, we do not think that in writ jurisdiction we can interfere at this stage. The candidate who has filed his nomination for the ensuing Vidhan Sabha election from the subject constituency is now left to face a poll that is scheduled on 21-10-2019 and the results are to be declared on 24-10-2019.

2. When only these two stages are remaining in the whole process, then we do not think that we should interfere.

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More so, when the remedy of an election petition is alternate and equally efficacious. We do not think that by our order we are foreclosing the other option of the petitioners either. The writ petition is disposed of.

(G.S. PATEL, J.)

(S.C. DHARMADHIKARI, J.)