

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

WRIT PETITION NO.2079 OF 2010

GAIKWAD CHANDRABAI DASHRATH
VERSUS
RETURNING OFFICER FOR THE ELECTION OF ZP AND PANCHAYAT
SAMITI FOR SINDHI PANCHAYAT AND OTHERS

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None for the Petitioner.

Advocate for Respondent 1 : Shri S.T.Shelke and Shri S.S.Wagh

Advocate for Respondent 3 : Shri Anuj Fulpagar h/f Shri P.R.

Katneshwarkar

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 28th February, 2020

Per Court:

1 None for the petitioner. Though respondent No.2 is served with notice on rule, no appearance is entered.

2 The learned advocate appearing on behalf of respondent No.1/ Returning Officer submits that the election of the petitioner held on 11.03.2007 by which, he was returned as an elected candidate, was set aside by the impugned judgment dated 30.12.2009 in Election Petition No.2/2007. This Court had passed a reasoned interim order on 11.03.2010 and the election of the petitioner was protected. The term of five years has expired in March, 2012 and thereafter, the elections were held in 2012 as well as in 2017. He submits that this matter is rendered

infructuous.

3 The learned advocate for respondent No.3 submits that this petition is rendered infructuous.

4 Considering the above, since the petitioner's election was protected by the interim order of this Court, this Writ Petition is disposed of as being infructuous. The impugned judgment dated 30.12.2009 shall lose its efficacy. Rule is discharged.

kps

(RAVINDRA V. GHUGE, J.)