

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 61 OF 2020

(Harsha w/o. Naresh Masram..vs.. Returning Officer, ZP & Panchayat Samiti General
Election & Ors)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri Dipesh N. Mehta, Advocate for petitioner.
Smt. N.P. Mehta, AGP for respondent No.1.

CORAM: RAVINDRA V. GHUGE, J.

DATE: 4th JANUARY, 2020.

1. This matter was heard for quite some time.
2. It was noticed that the ballot paper containing the names of contesting candidates for the elections with regard to which the polling has been scheduled on 7.1.2020, have been printed, inserted in the EVM machines and the EVM machines have been sealed.
3. This Court called upon the learned Advocate for the petitioner to take instructions as to whether the petitioner would desire to canvas all the contentions in this petition or would prefer to initiate an Election Petition, as may be permissible in law.
4. The learned Advocate for the petitioner sought a pass over and after taking instructions, submits that this petition can be disposed off, keeping the remedy of filing of an Election Petition available to the petitioner.

5. In view of above, this petition is disposed off. The petitioner would be at liberty to avail of the statutory remedy as is permissible in law. All contentions of the petitioner and the litigating parties are kept open and the disposal of this petition shall not be an impediment to any of the grounds set out in the election petition.

(RAVINDRA V. GHUGE, J.)