

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

**CIVIL APPLICATION NO. 8044 OF 2020
IN
ELECTION PETITION NO. 26 OF 2019**

The Returning Officer
226 Shrigonda Assembly Constituency
Shrigonda, Dist. Ahmednagar ... Applicant

Versus

Ghanshyam Prataprao Shelar and another ... Respondents

....

Mr. Alok Sharma, Advocate for the applicant
Mr. J. R. Shah, Advocate for respondent No.1
Mr. R. L. Kute, Advocate h/f Mr. V.S. Kadam, Advocate for respondent
No.2

....

CORAM : R. G. AVACHAT, J.

DATED : 25th JANUARY, 2021

PER COURT :-

. Heard.

2. The Returning Officer, 226 Shrigonda Assembly Constituency, district Ahmednagar, has moved this application for permission to remove Electronic Voting Machines (EVM) from the strong room.

3. Perused the application and the Election Petition. Election of the return candidate – respondent No.2, is sought to be set aside on the ground of his alleged indulgence in corrupt practices. The Election Commission is not a party to the Election Petition. Nothing has been attributed regarding conduct of elections by the Commission.

4. I see no reason to keep EVMs in strong room. There are no allegations regarding tampering of EVMs. In this view of the matter, the application is allowed in terms of prayer clause “B”.

[R. G. AVACHAT, J.]

SMS