

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

927 REVIEW APPLICATION (CIVIL) NO.109 OF 2023  
IN WP/516/2023

SUNANDA BAISHARAD PATIL AND ANOTHER  
VERSUS  
KAILASH SHANKAR LAMBOLE AND OTHERS

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Advocate for Applicants : Mr. Patil Vinod Prakash  
GP for Respondent No.37-State : Mr. D. R. Kale  
Advocate for Respondent Nos.1 to 36 : Senior Advocate Mr. V. D. Hon i/b  
Mr. A. D. Sonkawade i/b Mr. A. V. Hon  
Advocate for Respondent No.38 : Mr. V. H. Dighe

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WITH  
928 REVIEW APPLICATION (CIVIL) NO.110 OF 2023  
IN WP/511/2023

SHASHIKANT LAXMINARAYAN BIYANI AND ANOTHER  
VERSUS  
ANKITA GAURAV MUNGAD AND OTHERS

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Advocate for Applicants : Mr. V. P. Patil h/f Mr. Wani Girish V.  
GP for Respondent No.6-State : Mr. D. R. Kale  
Advocate for Respondent Nos.1,2, 4 and 5 : Senior Advocate Mr. V. D. Hon  
i/b Mr. A. D. Sonkawade i/b Mr. A. V. Hon  
Advocate for Respondent No.3 : Mr. V. B. Patil  
Advocate for Respondent No.7 : Mr. V. H. Dighe

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**CORAM : ARUN R. PEDNEKER, J.**  
**DATE : 05<sup>th</sup> April, 2023**

**PER COURT :**

1. Heard the learned Advocates appearing on behalf of all the parties.
2. The learned Advocate appearing for the applicant submits that the writ petition was filed on behalf of five persons and the relief was granted to large number of persons and the final relief ought to have been restricted to five persons only. The stand of the review applicant is also supported by the State respondent No.6. However, in

paragraph No.10 of the Judgment under review, this Court has held as under :-

*"10. This being an election matter this court would be very slow in interfering with the election process. However large numbers of voters are sought to be deleted by the impugned order and the order passed by respondent no.2 has travelled far beyond the scope of Rule 7. In view of the same the order passed by the respondent no.2 is patently illegal. Deleting such large number of voters would largely affect the outcome of the election."*

3. This Court has held that the order passed by the District Election Officer is patently illegal and that large scale deletion of voters would substantially effect the outcome of the election and in view of the same, the order passed by the District Election officer is set aside. Restricting the Judgment only to the five members, would not change the situation as it will still affect the outcome of the elections. The order passed by the District Election Officer is patently illegal. There is no error apparent on record to interfere in the review jurisdiction .

4. In view of the above, review petitions are dismissed.

**( ARUN R. PEDNEKER, J. )**