



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

ELECTION PETITION NO. 12 OF 2019

**BAJRANG BHUJANGRAO JADHAV
VERSUS
ABHIMANYU DATTATRAY PAWAR AND OTHERS**

**WITH
APPLICATION IN EP NO. 6 OF 2022
IN EP/12/2019**

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Advocate for Petitioner : Mr. Bachate Pralhad D.
Advocate for Respondent No.1 : Mr. Jayant R. Shah.
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**CORAM : SHAILESH P. BRAHME, J.
DATE : 11.11.2025**

FINAL ORDER :-

1. Heard learned counsel Mr. Bachate for the petitioner and Mr. Shah for respondent No.1.
2. In pursuance of order dated 03.10.2025, election petition is listed to address on issue as to whether it has become infructuous or not. Accordingly, learned counsel for respondent No.1 addressed that it has become infructuous because there are no allegations of corrupt practices. Its not a case of incurring electoral disqualification and tenure of term is already over.

3. The submissions of respondent No.1 are contested by learned counsel Mr. Bachate appearing for petitioner. He submitted that petition needs adjudication on merits.

4. I have gone through memo of the election petition as well as concise statement of material facts. It pertains to General Election of Maharashtra Legislative Assembly, Ausa Assembly Constituency – 239 conducted in the year 2019. The term from 2019 to 2024 is over. Thereafter, elections were conducted. Considering the manner in which present election petition is proceeded with, there is a reason to believe that parties have lost interest.

5. Respondent No.1 is the returned candidate and his election is challenged mainly on the ground of suppression of material particulars as per Form No.26 of the Conduct of Election Rules. He is accused of non-disclosure of material information regarding his assets, assets of his spouse and the dependents, details of his service, etc. There are no allegations of corrupt practices so as to incur electoral disqualification. There is no *prima facie* material to show that he is likely to incur any disqualification for the future period. In that view of the matter, there is no point and purpose for proceeding with

the petition on merits. I find no merits in the submissions of the petitioner.

6. Election Petition is dismissed as it has become infructuous.

7. In view of disposal of election petition, pending civil application does not survive. Civil application as such is disposed of.

(SHAILESH P. BRAHME, J.)

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vmk/-