



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

**APPLICATION IN EP NO. 28 OF 2024
IN
ELECTION PETITION NO. 4 OF 2024**

**THE RETURNING OFFICER (THE COLLECTOR)
VERSUS
MRS. ARCHANA RANAJAGJITSINH PATIL AND OTHERS**

....

Mr. Alok Sharma, Advocate for the Applicant /Respondent No.31
Mr. V. D. Salunke, Advocate for the Respondent / Original
Petitioner

....

CORAM : Y. G. KHOBRAGADE, J.

DATE : 02.05.2025

PER COURT :-

ORDER BELOW EXHIBIT-30 (APPLICATION NO. 28 OF 2024)

1. Heard Mr. Sharma, the learned counsel appearing for the applicant/original Respondent No.31 Returning Officer and Mr. Salunke, the learned counsel for the non-applicant No.1 / Original Petitioner, at length.

2. By the present application, the applicant prayed for permission to remove the EVM machines from the strong room which were used while conducting 40th Osmanabad Parliamentary Constituency.

3. The learned counsel for the non-applicant/original petitioner fairly given no objection.

4. In the present petition, the Petitioner has prayed for declaration that the election of Respondent No.1 from 40 – Lok Sabha constituency declared on 04.06.2024 being null and void on the ground that Respondent No.1 indulged into corrupt practice. The issue does not appears to be arise about recounting of votes or defect in EVM machines. Therefore, there is no necessity of preserving EVM machines. Therefore, it will be just and proper to permit Respondent No.31, Returning Officer to remove EVM machines from the strong room.

5. In view of above, the applicant / original Respondent No.31 is hereby permitted to remove the EVM machines from the strong room, as prayed for.

6. Accordingly, the application Exhibit-30 is hereby disposed of.

[Y. G. KHOBRAGADE, J.]