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93ep1.25

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

93 ELECTION PETITION NO. 1 OF 2025
AND
APPLICATION IN EP NO. 8 OF 2025
IN EP/1/2025

SHRI. ANIL UMRAO GOTE @ ANIL ANNA GOTE
.....Petitioner

VERSUS

THE ELECTION COMMISSION OF INDIA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS
.....Respondent

Mr. P. R. Katneshwarkar, learned Senior Advocate I/b Mr. K. B. Jadhav, Advocate a/w Mr. V. B. Madan, Advocate for the petitioner

Mr. S. B. Akhade, Advocate for the respondent No. 6

Mr. S. S. Kazi, Advocate for the respondent No. 7

Mr. Swapnil Joshi, Advocate h/f J. P. Legal Associates for respondent No. 3

CORAM : KISHORE C. SANT, J.

DATE : 28th APRIL, 2025

P. C.

1. Today, the learned advocate Mr. Swapnil Joshi has filed Vakaltnama [**Exh. 15**] on record.

2. It is submitted that he has already filed Vakalatnama,

but same is not found in the record. From the earlier orders it is seen that he has already appeared for respondent No.3 and has sought adjournments.

3. However, to avoid technical difficulties his vakalatnama is taken on record and marked as Exh.15.

4. The application [Exh.16] filed by the respondent No.3 is praying for adjournment for 10 days to file written statement on record.

5. The application is opposed by the other party.

6. However, considering that, adjournment is sought is only for 10 days, the matter is adjourned to 08-05-2025.

7. This application [Exh.18] is by the election petitioner.

8. The learned advocate for the petitioner submits that defendant No. 4 to 9 are the candidates who had taken part in the election. However, there are no allegations of any corrupt practice made against them. There is also no payer made to declare the petitioner as elected and therefore, presence of respondent Nos. 4 to 9 is not required. He thus, submits that respondent nos. 4 to 9 are required to be deleted.

9. The application is vehemently opposed by the respondents.

10. Be that as it may, this court finds that in view of section 82 (a) the respondents are not necessary parties to the petition and therefore, application deserves to be allowed and same is hereby allowed and disposed off.

11. The deletion be carried out within two weeks from today.

12. List the matter on 08-05-2025.

13. This application [**Exh. 17**] filed by respondent No. 7 seeking time to file reply/written. No order is necessary on this application. The application stands disposed off.

[KISHORE C. SANT, J.]

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