



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

1096 ELECTION PETITION NO. 7 OF 2025

SHRI. RAJABHAU SHRIRAM PHAD

VERSUS

SHRI. DHANANJAY PANDITRAO MUNDE AND OTHERS

...

Advocate for the Petitioner in EP No.7/2025 :

Mr.S.B.Yawalkar

Advocate for the petitioner in EP No.10/2025 :

Mr.C.V.Thombre

Advocate for Respondent no.12 in EP No.7/2025 & respondent
no.1 in EP No.10/2025 : Mr.Alok Sharma

Advocate for Respondent no.1 : Mr.M.S.Karad

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WITH

ELECTION PETITION NO. 10 OF 2025

WITH APPLICATION IN EP NO. 17 OF 2025 IN EP/7/2025

WITH APPLICATION IN EP NO. 42 OF 2025 IN EP/7/2025

WITH APPLICATION IN EP NO. 81 OF 2025 IN EP/7/2025

WITH APPLICATION IN EP NO.106 OF 2025 IN EP/7/2025

WITH APPLICATION IN EP NO. 105 OF 2025 IN EP/7/2025

**WITH APPLICATION IN EP NO. 133 OF 2025 IN
EP/10/2025**

**WITH APPLICATION IN EP NO. 130 OF 2025 IN
EP/10/2025**

**WITH APPLICATION IN EP NO. 155 OF 2025
IN EP/7/2025**

**WITH APPLICATION IN EP NO. 172 OF 2025
IN EP/7/2025**

**WITH APPLICATION IN EP NO. 191 OF 2025
IN EP/7/2025**

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CORAM : ARUN R. PEDNEKER, J.

DATE : 19.12.2025

P.C. :

1] The learned counsel for the respondents i.e. Chief Election Commission and Returning Officer relies upon the judgments in the case of **Jyoti Basu and others Vs. Debi Ghosal and others** reported in (1982) AIR (SC) 983 particularly at para no.10, so also, in the case of **Michael B. Fernandes Vs. C.K.Jaffer Sharief and others** reported in (2002) AIR (SCW) 768 particularly in para nos.4, 5, 6, 7 and submits that the Election Commission or the Returning Officer cannot be made party to the election petition.

2] The learned counsel for the petitioner in EP No.10/2025 seeks time in the matter.

3] At his request, list this matter on 09.01.2026 at 2.30 p.m.

[ARUN R. PEDNEKER]
JUDGE

DDC