

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1993 OF 2025
IN
WRIT PETITION NO.11951 OF 2023**

Santosh Laxman Bhoir and Ors.

***...Applicants/
Petitioners***

V/s.

Ravindra V. Konkar and Ors.

...Respondents

Ms. Anjali Purav *for the Applicants / Petitioners*

Mr. Avinash Jalisatgi *with Mr. T.R. Yadav and Ms. Divya Wadekar for Respondent Nos.1 to 8, 10 to 12, 15 to 18 and 21 & 22.*

Mr. Shailesh S. Pathak *for Respondent No.24.*

CORAM : SANDEEP V. MARNE, J.

Dated : 21 February 2025.

P.C. :

- 1) The interim application is filed seeking following reliefs:-
 - a) This Hon'ble Court be pleased to restore the Writ Petition No. 11951 of 2023 on the files of the Hon'ble Court.
 - (b) This Hon'ble Court be pleased to issue following Directions, to be followed while framing the election Program.
 - (i) The ballot papers to be printed in a booklet form with counter-foil receipt
 - (ii) The Election Officer who will conduct the elections should be outsider and preferably from office of the Commissioner of Labour, Thane.

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(iii) The counting of the votes should be completed on the same day of voting.

(c) This Interim Application be finally allowed;

2) In the main Petition order dated 4 July 2023 passed by the Member, Industrial Court, Thane, was challenged. Before the Industrial Court, the manner in which the elections were held on 26 February 2022 was the subject matter of challenge.

3) This Court has refused to exercise jurisdiction under Section 227 of the Constitution of India after noticing that the term of elections held on 26 February 2022 was coming to an end on 25 February 2025.

4) Now the Application is filed seeking restoration of the main Writ Petition for the purpose of issuance of certain directions with a view to ensure transparency in the fresh elections that will be held after 25 February 2025. I am afraid, this remedy cannot be exercised even if main Writ Petition No.11951 of 2023 is restored. The remit of enquiry in Writ Petition No.11951 of 2023 was only to examine correctness of order passed by the Industrial Court on 4 July 2023 relating to past elections held on 26 February 2022. Scope of the Petition cannot be expanded to cover the fresh elections, which will be held after 25 February 2025. If the Applicants are aggrieved by the manner in which fresh elections are conducted, they will have to exercise appropriate remedy in that regard. I do not find

any valid reason to entertain the interim application, which is accordingly **rejected**.

[SANDEEP V. MARNE, J.]