

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

ELECTION PETITION NO.23 OF 2025

Sudhakar Parshuram Ghare
alias Sudhakarbhau Ghare
V/S

....Petitioner

Mahendra Sadashiv Thorve & Ors.

....Respondents

Ms. Mahek Bookurala a/w Ms. Pooja V. Thorat *for the
Petitioner.*

Ms. Neeta Jain i/b Mr. Alochan Naik *for the Respondent No.4.*

**CORAM: SANDEEP V. MARNE, J.
DATE : 25 MARCH 2025.**

P.C.:

1. Perused the Bailiff report dated 17 March 2025. The report indicates that the Bailiff approached the residence of Respondent No.1 on 13 March 2025 between 9 a.m. to 11.30 a.m. but could not find Respondent No.1 at the residence. It appears that when he attempted to enter the house, he was not permitted to enter the house on account of number of persons present inside the house of Respondent No.1. In my view, the Bailiff ought to have made the service of summons in accordance with provisions of Order V, Rule 15 and/or Rule 17 of the Code of Civil Procedure, 1908 (**the Code**) by either serving summons on the adult member of the family of Respondent No.1 or by affixing the same at his residence.

2. Issue fresh summons to Respondent No.1, returnable on **28 April 2025**. It is made clear that if the Bailiff does not find Respondent No.1 at his residence, he shall serve the summons in accordance with provisions of Order V, Rule 15 and/or Rule 17 of the Code.

3. The learned counsel appearing for Respondent No.4 seeks and is granted time of one week to file the Written Statement.

4. List the Election Petition under caption 'for directions' on **28 April 2025**.

(SANDEEP V. MARNE, J.)

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