

HARSHADA H. SAWANT
(P.A.)

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

ELECTION PETITION NO.19 OF 2025
WITH
APPLICATION (L) NO.24590 OF 2025
IN
ELECTION PETITION NO.19 OF 2025
WITH
APPLICATION NO.6 OF 2025
IN
ELECTION PETITION NO.19 OF 2025

Sunil (Bhau) Chandrakant Bhusara .. Petitioner
Versus
Harishchandra Sakharam Bhoje and Ors. .. Respondents

WITH
APPLICATION (L) NO.9497 OF 2025
IN
ELECTION PETITION NO.19 OF 2025

Harishchandra Sakharam Bhoje .. Applicant
IN THE MATTER BETWEEN:
Sunil (Bhau) Chandrakant Bhusara .. Petitioner
Versus
Harishchandra Sakharam Bhoje and Ors. .. Respondents

WITH
ELECTION PETITION NO.37 OF 2025
WITH
APPLICATION NO.9 OF 2025
IN
ELECTION PETITION NO.37 OF 2025

Sunil Chandrakant Bhusara .. Petitioner
Versus
Harishchandra Sakharam Bhoje .. Respondent

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- Mr. Pranjal Agarwal, Ms. Dixita Gohil, Mr. Jatin Patil, Advocates i/by Mr. Jovila Jimmy Gonsalves for Petitioners in both Election Petitions.
 - Mr. Niteen Pradhan, Senior Advocate a/w. Ms. Shubada Khot and Ms. Sonal Dabholkar, Advocates for Respondent No.1.

- Mr. Abhijit P. Kulkarni a/w. Ms. Sweta Shah, Advocates for Applicant in Interim Application (L) No.24590 of 2025 in Election Petition No.19 of 2025.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 11, 2025

P.C.:

1. Heard Mr. Agarwal, learned Advocate for Petitioner in both Petitions, Mr. Pradhan, learned Senior Advocate for Respondent No.1 and Mr. Kulkarni, learned Advocate for Applicant in Interim Application (Lodging) No.24590 of 2025.

2. One final opportunity of six weeks is granted to Mr. Agarwal to comply with the directions contained in paragraph No.2 of the order dated 10.07.2025.

3. Mr. Pradhan, learned Senior Advocate has drawn my attention to directions contained in the aforesaid order and would contend that unless those directions are complied with, it would not be appropriate to hear the Application filed under Order VII Rule 11 of Code of Civil Procedure, 1908 in the companion Election Petition filed by the same Petitioner. Mr. Pradhan appears to be right in his contentions.

4. There are certain exigencies mentioned by Mr. Agarwal for complying with the procedure. *Prima facie*, those exigencies are purely administrative in nature and should not take time. Once directions are

passed those are required to be complied with.

5. Nevertheless, one final opportunity is granted to Petitioner, failing which this Court shall be constrained to pass appropriate orders on the next adjourned date.

6. Directions contained in the order dated 10.07.2025 shall be complied with. Extension of time is granted to Petitioner to comply with said directions within a period of eight weeks from today positively. If Petitioner requires any further directions, liberty to apply.

7. It is clarified that directions shall be complied with and appropriate compliances be placed before the Court.

8. Election Commission is not party to the proceedings, however they have filed Interim Application which is served today on Petitioner.

9. By virtue of the Interim Application, they seek release of the Electronic Voting Machines (EVMs) and the control units attached thereto. There are various reasons given. That apart, there are orders passed by this Court as well as several other Court, *inter alia*, releasing the EVMs and control units by giving a direction to the Election Commission of India to maintain a print-out on the paper trail. The Petitioner has been served with the Application and is directed to file his Affidavit-in-Reply to the same within a period of two weeks from

today positively.

10. The Application filed by Election Commission of India shall be heard and disposed on the next adjourned date which shall be noted by the parties.

11. List Application (Lodging) No.24590 of 2025 alongwith Application (Lodging) No.9497 of 2025 on **25th September, 2025** at **03:00 p.m.**

12. Stand over the Election Petitions on **06th November, 2025.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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