

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 15 OF 2025
IN
ELECTION PETITION (L) NO. 539 OF 2025

Prashant Sudam Jagtap

...Applicant/Petitioner

Versus

Chetan Vitthal Tupe

...Respondent

Mr. Asim Sarode a/w Ms Shriya Awale for Applicant/Petitioner.

Mr. Abhijit Kulkarni a/w Mr. Abhishek Roy for Respondent.

CORAM : ARIF S. DOCTOR, J.

DATED : 4th AUGUST 2025

P.C. :

1 The captioned Interim application has been filed seeking the following reliefs:

“a. That the Hon'ble Court may be pleased to restore the Election Petition (L) 539 of 2025.

b. That the Hon'ble Court may be pleased to set aside the Order of the Hon'ble High Court dated 11/06/2025 in regards to EP (L) 539/2025 in the interest of justice.

c. That the Hon'ble Court be pleased to pass any such Order it deems fit and in interest of justice.”

2 The matter was stood over to today, to enable Learned Counsel for the Respondent to take instructions as to whether the Respondent would be seriously opposing the aforesaid prayers. Mr. Kulkarni, Learned Counsel appearing on behalf of the Respondent today, submitted that the Respondent did not have any

objection *per se* to the Interim Application being allowed, but submitted that the Election Petition was itself barred by limitation, given the belated filing of the captioned Interim Application. He submitted that the Interim Application could be allowed by specifically keeping their contention open.

3 Thus, keeping open the Respondent's contentions qua limitation, the Interim Application is allowed in the aforesaid terms of prayer clauses (a) and (b).

4 Time to remove office objections is extended by a period of one week from today.

5 Stand over to 18th August 2025 for directions.

(ARIF S. DOCTOR, J.)